



Northern Ireland  
Assembly

# OFFICIAL REPORT

(Hansard)

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<i>Minister for Regional Development</i>	Mr Conor Murphy
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<i>Minister of Enterprise, Trade and Investment</i>	Mrs Arlene Foster
<i>Minister of the Environment</i>	Mr Sammy Wilson ( <i>resigned 30 June 2009</i> ) Mr Edwin Poots ( <i>from 30 June 2009</i> )
<i>Minister of Finance and Personnel</i>	Mr Nigel Dodds ( <i>resigned 30 June 2009</i> ) Mr Sammy Wilson ( <i>from 30 June 2009</i> )
<i>Minister of Health, Social Services and Public Safety</i>	Mr Michael McGimpsey

### Junior Ministers

<i>Office of the First Minister and deputy First Minister</i>	Mr Jeffrey Donaldson ( <i>until 1 July 2009</i> ) Mr Gerry Kelly Mr Robin Newton ( <i>from 1 July 2009</i> )
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# NORTHERN IRELAND ASSEMBLY

Monday 15 June 2009

*The Assembly met at 12 noon (Mr Deputy Speaker  
[Mr McClarty] in the Chair).*

*Members observed two minutes' silence.*

## MATTERS OF THE DAY

### Kilkeel Plane Crash

**Mr Deputy Speaker:** Ms Margaret Ritchie has sought leave to make a statement on a matter that fulfils the criteria that are set out in Standing Order 24. I will call Ms Ritchie to speak for up to three minutes on the subject. I will then call other Members from South Down, who will also have three minutes to speak.

**Ms Ritchie:** On Friday last at 9.00 pm, a tragic air traffic accident took place near the Ballyardle Road, Kilkeel, in which Hugh McKnight, Andrew Burden and Stephen Annett lost their lives. My sympathy goes out to the families and friends of the deceased, and there is no doubt that the support and solidarity of the communities of Annalong, Ballymartin and Kilkeel are with them. I am very conscious of the anguish and trauma of the bereaved.

An investigation into the accident is ongoing. That investigation needs to examine the safety of light aircraft and, in particular, the special landscape and topographical features of the part of south Down in which the accident occurred. Not only was the crash a tragedy but it is a sign of a more worrying situation, for it is the second air accident in Kilkeel in three weeks. Moreover, not so long ago, a similar incident occurred in Cookstown, which thankfully and fortunately did not result in any fatalities. I am also mindful of other air traffic accidents, particularly the Air France disaster in which a young doctor from Ballygowan lost her life.

I will write to the Parliamentary Under-Secretary of State for Transport, Paul Clark, about the safety of light aircraft. I am doing that because air safety is a reserved matter, and thorough investigation is required. I hope that the current investigation is speedy and effective and makes recommendations that ensure that such incidents are eliminated.

It is important for the House to demonstrate solidarity with and support for the bereaved and to convey sympathy to those who are suffering at this difficult time.

**Mr Wells:** I thank the Member for South Down Ms Ritchie for tabling this matter, because it is important for the House to extend its condolences to the families of Andrew Burden, Stephen Annett and Hugh McKnight, who died as a result of Friday's tragedy. All had a love of sport and were coming back from the TT races on the Isle of Man when the incident occurred. Hugh had been ferrying people back and forth to that event all week, which was a generous gesture that, sadly, ended in tragedy.

It is one of a series of tragedies to have afflicted the South Down constituency in recent months. However, I know that the people of Mourne will rally around and give tremendous support to the bereaved families and that everyone will do whatever they can to help the families in these difficult circumstances.

A fitting tribute to those who died would be, as Ms Ritchie said, for something to be done to improve safety for light aircraft throughout Northern Ireland but particularly in Mourne. There was a serious accident only a few days before the latest event, and it was fortunate that there were no injuries, or worse, on that occasion. It would be welcome if, as a result of Friday night's incident, something is done to help those who fly light aircraft in and out of small airstrips in south Down to do so safely.

This has been an awful event for all concerned, and I know that all Members will join me in passing our sympathies to the families.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I, too, extend my condolences to the families. This is a further tragedy to hit the Mournes following the loss of the four PSNI officers at Warrenpoint and the tragic fishing disaster that affected the Greene family.

I knew Hugh McKnight from his days in the RUC, and, although we did not see eye to eye on many occasions, he was always human and compassionate in how he dealt with members of the public. This is a sad loss to the whole Mourne and south Down area but particularly to the victims' families. It must also be unbearable for everyone whose lives the three men touched.

I concur with what the other Members said about examining light aircraft safety, particularly at landing strips, which seem to be popping up regularly. That issue needs closer examination by the planning authorities and greater scrutiny by the regulators.

I convey Sinn Féin's sympathy to all the families.

**Mr McCallister:** I thank the Member for South Down Ms Ritchie for tabling this matter. I extend, on behalf of the Ulster Unionist Party, our deepest and

most sincere sympathies to the McKnight, Burden and Annett families.

At times such as these, when such a tragedy occurs, we rise to the challenge as one community and stand shoulder to shoulder with families who have suffered. It is so sad that three men's participation in something that they loved — watching road racing at the TT on the Isle of Man and flying light aircraft, for which Mr McKnight had a passion — should end in tragedy. It reminds us all of how quickly events can turn to tragedy.

I think and hope that every Member and everyone across south Down and Northern Ireland will keep the families in their thoughts and prayers. We should do that at this difficult time and, indeed, in the weeks and months ahead, as the full extent of the loss sinks in for those families.

**Mr P J Bradley:** Just over six months ago, on 24 November 2008, the six South Down Assembly Members expressed condolences to the families of four young policemen and a young social worker who had died the previous weekend. Sadly, today, we express solidarity with the families of the pilot, Hugh McKnight, Andrew Burden and his young colleague, Stephen Annett.

As Minister Ritchie mentioned, County Down has suffered great tragedy. We heard about the fishing tragedies, and it is appropriate that we also think of the family of Dr Eithne Walls, who died in the Air France tragedy. I offer my sympathy and the sympathy of the people whom I represent to the families. It is difficult to comprehend the grief that they are experiencing at this time.

## ASSEMBLY BUSINESS

### New Assembly Member: Mr Danny Kinahan

**Mr Deputy Speaker:** The Speaker has been informed by the Chief Electoral Officer that Mr Danny Kinahan has been returned as a Member of the Assembly for the South Antrim constituency to fill the vacancy that resulted from the resignation of Mr David Burnside. Mr Kinahan signed the Roll of Membership and entered his designation in the presence of the Speaker and the Clerk to the Assembly/Director General in the Speaker's Office on Tuesday 9 June 2009. Mr Kinahan has now taken his seat.

**Some Members:** Hear, hear.

**Mr Kinahan:** Thank you very much, Mr Deputy Speaker. I also thank my predecessor, David Burnside, for his many years of hard work in South Antrim. I look forward to working to the best of my ability for everyone in South Antrim.

## EXECUTIVE COMMITTEE BUSINESS

### Suspension of Standing Orders

**Mr Deputy Speaker:** The Speaker has been advised that the Minister of Enterprise, Trade and Investment will move all the items of business that stand on today's Order Paper in the name of the Minister of Finance and Personnel on his behalf.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 15 June 2009.

**Mr Deputy Speaker:** Before I put the question, I remind Members that this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That Standing Orders 10(2) to 10(4) be suspended for 15 June 2009.

**Mr Deputy Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

## MINISTERIAL STATEMENT

### Swine Flu

**Mr Deputy Speaker:** I have received notice from the Minister of Health, Social Services and Public Safety that he wishes to make a statement on the outbreak of swine flu.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I take this opportunity to provide Members with a further update on the Northern Ireland response to the swine flu virus. On Thursday 11 June, the World Health Organization announced that it considered the swine flu virus to have reached global pandemic levels. That announcement means that we have moved to phase 6 of our pandemic flu preparations. I reassure Members, as I did following the announcement, that the declaration does not reflect the severity of the virus; it means that the World Health Organization thinks that the virus has spread more widely around the world and now fulfils the definition of a pandemic.

The Scottish Government confirmed yesterday that a patient with underlying health problems had died after testing positive for the H1N1 virus. She is the first person in Europe to die from the virus, and she had other, underlying health problems. Her death does not mean that the virus is becoming more severe. Indeed, the evidence to date suggests that the virus is not changing at all.

*12.15 pm*

There have been confirmed cases of the virus in 74 countries and large increases in the number of confirmed cases being reported in the UK, Australia, Chile and Japan. Globally, there have been 30,128 confirmed cases and 165 deaths. Throughout the UK, there are 1,277 confirmed cases, eight of which are in Northern Ireland. We have also seen more cases of the virus in the Republic of Ireland, with 12 cases now confirmed. Given the increasing number of cases worldwide, we can expect more cases here.

The World Health Organization considers the pandemic to be moderate, with the majority of people affected by the virus recovering well, without the need for hospitalisation or medical care. Our experience in the UK has been that the levels of clinically severe or fatal cases appear to be similar to that of seasonal flu. In the majority of cases, the disease has generally been mild, but it is proving to be severe in a small minority of cases. I am pleased to report that all the people in Northern Ireland who contracted the virus have fully recovered or are recovering well.

It is important that Members be aware that the World Health Organization's move to phase 6 does not change the UK's overall assessment of the virus and does not

trigger any material change in our public health response. The World Health Organization, in determining its pandemic alert phases, needs to consider what is happening globally, and, as I reported, although the number of cases throughout the world continues to rise, there continues to be only a small number of cases in Northern Ireland.

As in the rest of the UK, we have been planning for a potential pandemic for some time, and, since the emergence of swine flu, we have been operating at a heightened state of readiness. Our plans are robust and well rehearsed. We are continuing with our preparations based on prudent planning assumptions, because it is still too early to predict accurately the impact of the pandemic on the UK. The move to phase 6 vindicates our planning for a pandemic and the possibility of large numbers of people catching swine flu. I understand how the further development in Scotland may cause public concern, but the UK is one of the best-prepared countries in the world, so we are well equipped to deal with the pandemic. In line with the World Health Organization's advice, the UK Government will not impose any domestic or international travel restrictions, and they will keep UK borders open.

In Northern Ireland, as in the rest of the UK, we are following a containment strategy, supplying antivirals to people who develop the disease and, as a preventative measure, to their close contacts. The strategy has been effective to date in delaying widespread transmission. However, it will not work indefinitely if there is a rapid rise in cases. Therefore, preparations are in hand to move to a mitigation strategy. Such a strategy will mean that, when the number of cases increases beyond a certain level, we will have to keep under review the extent to which we supply antivirals to contacts. In the first instance, we will supply them only to immediate, close contacts rather than to all contacts. The mitigation strategy may also require the use of clinical diagnosis rather than laboratory testing where there is a high probability that people will test positive for the virus. A reduction in the numbers of follow-up contacts may also be necessary so that we target only people who are most at risk.

The move to phase 6 means that vaccine manufacturers will need to meet the contractual obligations of advance purchase agreements for vaccines that were made with the UK and some other countries. Such agreements were made in the event of a pandemic being declared and enable the UK to purchase up to 132 million doses of pandemic-specific vaccine when it becomes available, which means that we will have access to two doses of pandemic-specific vaccine for everyone in Northern Ireland if needed. Northern Ireland has a stock of antiviral drugs that covers half the population, and I have ensured that steps are in

place to increase that stock so that antiviral drugs will be available to treat up to 80% of the population.

Last Friday, I called a meeting of the chief executives of the various health and social care bodies and the Fire and Rescue Service to assure myself that their organisations are in an advanced state of preparedness and ready to respond to the increased number of cases expected in the near future. The meeting was positive, and I am pleased that extensive plans are in place to ensure that the population will be protected.

I also continue to meet my counterparts throughout the UK. Along with Health Ministers from Wales and Scotland, I take part in regular COBRA meetings that are now chaired by the new Secretary of State for Health, Andy Burnham. My Department continues to work closely with the Department of Health and Children in the Republic of Ireland on North/South preparedness. Last week, on the fringes of the North/South Ministerial Council meeting, I met Mary Harney to discuss swine flu preparations and planning.

As we have been doing to date, my Department and I will ensure that the public are kept fully informed and are given the necessary advice. I remind Members and the public that we cannot do this alone: everyone must continue to play their part in helping to reduce the impact of the pandemic. My key message to everyone is to carry on as normal but to ensure that they follow the public health advice that has been widely publicised in leaflets, on television and radio, and in newspapers. The simple but effective measures that the public can take to protect themselves include covering their noses and mouths when coughing or sneezing, putting tissues in the bin and washing their hands with soap and water or sanitising gel as soon as possible. The message is simple: 'Catch it, Bin it, Kill it.'

The Public Health Agency will continue to carry out rigorous surveillance to identify cases and arrange antiviral treatment for those affected and their close contacts. My Department is monitoring the situation in Northern Ireland and will take the necessary action to respond to the emerging situation. My officials are working closely with those from other Departments, particularly the Office of the First Minister and deputy First Minister (OFMDFM), as necessary to ensure that the wider Northern Ireland response is appropriate. I will, of course, report again to the Assembly as the situation evolves.

**The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson):**

I welcome the Minister's swift and measured response to the pandemic. He said that steps are in place to increase the amount of antiviral drugs to cover 80% of the population. How long will it take to achieve that benchmark of 80% availability? Will there be enough antiviral drugs for the autumn, when a major rise in the



number of people presenting with this type of flu is expected?

I assume that when the Minister mentioned people who are most at risk he was referring to older people, particularly those diagnosed with clostridium difficile and MRSA. Given that their condition is considerably weakened, will they be given priority?

**The Minister of Health, Social Services and Public Safety:** I have dealt with the matter of antiviral drugs in the House on a number of occasions. Stocks are in place to cover 50% of the population; no pandemic has yet affected over 30% of a population. However, I have placed an order that will increase the population coverage to 80%. I have no precise date for the arrival of those antiviral drugs, but they will certainly be ready for us by the autumn. By then, I expect to have enough to cover the population not only during the containment stage but through the mitigation stage.

Older people with clostridium difficile or MRSA will of course be prioritised when the vaccines are eventually available. However, that is some way off because the virus seed must be identified before they go into production. The vaccines will be shared among countries that have placed advance orders, including the UK. Northern Ireland will receive its share, and we will determine at that point who is most at risk.

For Mrs Robinson's benefit, it is clear that the people most at risk are those aged 16 and under, not older people. In fact, the suggestion has been made that people who are aged over 65 have some element of immunity. However, those are clinical decisions, and I will leave it to the clinicians to advise me on them.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. I note and welcome the fact that he said that our plans are "robust and well rehearsed."

Some media reports say that in some areas of Scotland diagnoses are not being made by either swab or laboratory testing. Is that the case here? What would the level of infection have to be for that to happen here? I understand that GPs are diagnosing swine flu in some areas of Scotland. Given that, what is our GPs' situation? Can they diagnose? What level of infection must be reached here before that would be required of our GPs?

**The Minister of Health, Social Services and Public Safety:** To some extent, that depends on the progress of the virus in Northern Ireland. Degrees of infection are being seen in Scotland and in England that differ from those in, for example, Wales, Northern Ireland or, indeed, the Irish Republic.

Widespread community transition is being experienced in parts of Scotland. In some places in Scotland, mitigation, as opposed to containment, is operating. Mrs McGill described one of the characteristics

of a mitigation, as opposed to a containment, strategy. We continue with our containment strategy, which has worked well so far. We will reach the point where we move to mitigation, but none of us can predict when that will be; it very much depends on the behaviour of the virus.

**Mr McCallister:** I also welcome the Minister's statement. We are reaping the rewards of having robust and well-rehearsed plans.

It has become clear that, in dealing with swine flu, we are in it for the long haul. I see two big challenges in that. First, the population can become complacent about some of the messages. We must keep reiterating and reinforcing those messages as we move forward so that people do not think that the pandemic is over. Secondly, finance is an issue. Will a financial burden be placed on the Health Service as the pandemic continues into the summer and autumn?

**The Minister of Health, Social Services and Public Safety:** The money that we had set aside for a flu pandemic will not begin to deal with the cost burden as the disease works its way through. It is clear that it is not part of my budget and that it is a matter for others; I cannot allow for it in the health budget. At present, the costs that are involved are still estimates. However, it seems to me that we have no choice other than to treat swine flu seriously. As I keep saying, we prepare for the worst and hope for the best. There will be a bill to pay, but, if the situation becomes as serious as it could, that bill will be well worth paying.

**Mrs Hanna:** I welcome the Minister's update, and I acknowledge that the Scottish patient who sadly died had an underlying health problem. However, we are aware that people in Scotland were hospitalised; indeed, some of them were admitted to intensive care units. Scotland is not in our jurisdiction, but it is a very close neighbour of ours.

Has the possibility been discussed that the strain in Scotland is a more virulent one?

12.30 pm

**The Minister of Health, Social Services and Public Safety:** The strain that is being dealt with in Scotland is the same one that we all continue to deal with. It has had a severe affect on 10 individuals, who are in hospital, but scientists and medical experts are unable to say why those people have been affected in that way.

**Mr McCarthy:** I, too, thank the Minister for keeping the House and the Northern Ireland public abreast of what is happening with swine flu. Unfortunately, a patient in Scotland sadly died, and I am sure that the House offers its sympathy to the family of that person. We were told that that person had underlying health problems. Swine flu has affected a number of patients

in Northern Ireland. Do any of those patients have underlying health problems, and, if so, will they be monitored and given every available treatment to ensure that they have a speedy recovery?

Furthermore, does the Minister have any evidence that, during this phase of the swine flu outbreak, the wise instructions that he and his Department issued have been adhered to throughout Northern Ireland?

**The Minister of Health, Social Services and Public Safety:** With respect to the Member's latter point, we provide advice through the Public Health Agency, and Members will have seen that advice, particularly in media adverts. We rely on the public to be sensible and to co-operate. Co-operation is a key part of containment, and the longer that we can contain the outbreak, the more time we can buy until a vaccine is ready and in place.

Everybody who has tested positive for swine flu in Northern Ireland has either recovered or is doing well. The situation in Scotland is different; some patients there have had a mild reaction, but others have had a severe reaction. It is early days with this new and novel virus, and no one is clear about its characteristics. No one can yet say whether one of its characteristics is that it is a mild strain.

**Mr Buchanan:** I wish to express my sincere sympathy to the family in Scotland, whose loved one had the virus and, over the past weekend, tragically lost her fight for life. Although I appreciate that that person was suffering from an underlying medical problem, is the Minister able to say whether pregnant women are at a greater risk from the virus? How does that death impact on the arrangements for fighting the virus in Northern Ireland?

**The Minister of Health, Social Services and Public Safety:** As I said in my statement, although the World Health Organization has declared pandemic level 6, nothing will change; we will carry on with the plans and preparations that we have in place.

Although it is early days, there are some indications that pregnant women are more susceptible to the virus than the rest of the population. With respect to fighting the virus, Tamiflu is not suitable for pregnant women; however, suitable antivirals exist and are available to be administered.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. In addition, I apologise on behalf of my colleagues Sue Ramsey and Michelle O'Neill who are members of the Health Committee but who have another engagement in the Long Gallery.

As other Members said, our thoughts and prayers are with the family of the women who died in Scotland. Although it has been confirmed that she tested positive

for, and died from, the H1N1 virus, the Scottish Government also confirmed that she had underlying health problems. Of the 164 deaths worldwide that were associated with swine flu, how many of those people had underlying health problems?

**The Minister of Health, Social Services and Public Safety:** I do not readily have such a statistical answer, and I imagine that much of the evidence is still being collated.

However, as I informed the House before, there has been an alarming degree of under-reporting in other countries. We are not clear about how many of the people whose deaths were ascribed to swine flu had underlying conditions and how many did not, but it is clear that there have been instances worldwide of perfectly healthy individuals, with no underlying conditions, contracting the virus and dying. There are no lessons that have been learned that I can relate to the House. It is still very early days as far as the scientific investigation is concerned.

**Mr Easton:** Will the Minister tell us what contact he has had with colleagues in the Republic of Ireland? What level have they reached as regards their treatment, analysis and policy? Will he also tell the House whether the eight people who have contracted swine flu in Northern Ireland have been treated at home or have been admitted to hospital? Will he indicate the earliest date at which he expects to receive vaccines to treat swine flu?

**The Minister of Health, Social Services and Public Safety:** There are 12 patients in the Republic of Ireland who have tested positive. My discussions with the Republic of Ireland show that it has adequate supplies of antivirals and has orders in place for vaccines.

As far as Northern Ireland is concerned, I am not aware of any of our patients who have tested positive going to hospital. They have been able to fight the virus at home with the support of the Health Service and antiviral treatments. As I keep saying, I am not in a position to say when we will receive vaccines, but we will not get all of our vaccines in one delivery: it will be an extended delivery because of the capacity of factories that produce the vaccines and because of the number of countries that require the vaccines. However, we are top of the queue thanks to the UK response and to our being part of the UK. Northern Ireland will get its full share of the 132 million vaccines that have been ordered.

Once the virus seed has been isolated and vaccine production starts, we should be seeing the vaccines before the end of the year. We will then determine who receives them first. High-impact employees, for example those in the Health Service and vulnerable groups, will be key, but that is very much in the future.

## EXECUTIVE COMMITTEE BUSINESS

### Supply Resolution for the 2009-2010 Main Estimates

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to four hours for the debate. The Minister will have a total of one hour to allocate between proposing and winding on the motion, and all other Members who are called to speak will have 10 minutes. If that is clear, we shall proceed.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I beg to move

That this Assembly approves that a sum, not exceeding £7,566,927,000, be granted out of the Consolidated Fund, for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 and that resources, not exceeding £8,311,830,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 as summarised for each Department or other public body in columns 3(b) and 3(a) of table 1.3 in the volume of the Northern Ireland Estimates 2009-10 that was laid before the Assembly on 29 May 2009.

The motion was tabled in the name of the Minister of Finance and Personnel. This important Supply resolution seeks the Assembly's approval of the spending plans of Departments and other public bodies as set out in the Main Estimates for 2009-2010, which were presented on 29 May 2009. I request and recommend the level of Supply set out in the resolution under section 63 of the Northern Ireland Act 1998 on behalf of the Executive.

As Members will be aware, at present, Departments are spending money and using resources on the basis of the Vote on Account in the Budget Act (Northern Ireland) 2009, which was passed by the Assembly in February. As the Vote on Account provides only initial allocations for 2009-2010 based on 45% of the 2008-09 provision, it is now essential that further resources and cash be approved before the summer recess to enable public services to continue for the remainder of the current financial year.

The departmental spending plans in the 2009-2010 Main Estimates are based on the second year of the Executive's Budget 2008-2011, which was approved by the Assembly in January of last year. However, the estimates reflect some technical adjustments that have been made since then. They are a result of reclassification changes or revised budgeting treatment and, in some instances, of transfers between Departments or from the Northern Ireland Office.

There are two key issues in relation to the adjustments. First, adjustments to budgets as a consequence of reclassification changes or revised budgeting treatment do not provide additional spending power to the Executive. That is based on the accepted policy that service delivery should not be affected by such changes. Therefore, although there is an adjustment to the overall Northern Ireland Executive departmental expenditure limit, the result is to maintain spending power at the same level. Secondly, adjustments that are transfers between Departments do not reflect changes in total spending power, but rather that the Budget provision is merely following the service provided.

In addition, Members will recall that estimates also include almost £6 billion of annually managed expenditure (AME). That expenditure is demand-led and is updated at least twice per annum. Therefore, the estimates also reflect updates to the AME allocations published in the Budget 2008-2011 document in January 2008.

The amounts of cash, over £7.6 billion, and resources, over £8.3 billion, sought in the Supply resolution are substantial in addition to the February Vote on Account. The Main Estimates under debate today bring the total requirements for 2009-2010 to over £13 billion cash and £15 billion resource. Although the Minister of Finance and Personnel approves and presents the estimates, and I am doing that today on his behalf, the underlying detail reflects decisions taken by Ministers under the financial authority delegated to them by the Department of Finance and Personnel. Those are the estimates of each Minister; they detail the services planned for delivery in 2009-2010 by each Minister within their Budget allocation.

Although today's focus is understandably on the amount of funding being made available to Departments with, for example, the Budget allocation for schools set to increase by 6% this year, it is important that we do not lose sight of the fact that the primary purpose of Departments is not to spend money but to provide high-quality, accessible public services for all Northern Ireland's people. Therefore, although I am sure that during today's debate many Members will highlight their concerns regarding the funding available for one service or another, I would first like to set out some of the service improvements that will be funded from the estimates that we are discussing today.

For example, the allocations will allow the completion of the work under the farm nutrient management scheme, achieving cleaner water and EU compliance, while, at the same time, providing much-needed work for the construction industry. The 2009-2010 year is the second year of the five-year Northern Ireland rural development programme. At a total value of over £0.5 billion, the further investment this year will improve the competitiveness of the sector, enhance the



environment and improve the quality of life in rural areas. If passed today, the 2009-2010 expenditure plans will enable the continued delivery of high-quality primary, secondary and tertiary education services across Northern Ireland. Evidence of that can be seen in the £45 million contract signed recently to provide four new schools in Portglenone, Carryduff, Knock and Downpatrick. During these difficult economic times, that is good news for our local construction industry.

Furthermore, reflecting the Executive's commitment to lifelong learning, the South Eastern Regional College buildings programme is well under way, construction has begun on the Belfast Metropolitan College development in the Titanic Quarter, and the new skills centre for the South West College at Enniskillen is expected to be completed next month.

*12.45 pm*

In addition, the Skillsafe scheme, which was announced on 26 May, will, initially, assist engineering and manufacturing apprentices who have been placed on short-term working to use their downtime to undertake accredited training that will contribute to their apprenticeships. That represents practical help and protection for apprentices in the current challenging economic environment.

Invest Northern Ireland, for which the Department of Enterprise, Trade and Investment (DETI) is responsible, continues to work proactively with local companies and entrepreneurs to help to minimise the impact of the economic downturn. The expenditure plans before the House will fund initiatives such as the accelerated support fund, which provides advice and support to companies that are suffering the adverse effects of the downturn. In addition, the short-term aid scheme, which I announced recently, will provide valuable support to structurally sound local firms that have a significant presence in export markets, but which are experiencing short-term difficulties due to the global downturn.

In health and social care, building work is about to commence on the new acute hospital in Enniskillen. As well as providing the latest health services for the people of the south-west, that project will bring timely economic benefits. Over the construction period, 850 jobs will be supported through the project, of which 180 will be new. In addition, the new Downe Hospital is due to open to the public at the end of the month. It will provide state-of-the-art medical facilities and services to south Down. Construction will continue on two health and well-being centres in Belfast, which will provide employment for almost 200 people.

A dental contract will be introduced in 2009-2010, which will provide access to dental services for 57,000 additional patients. That is particularly good news for

areas in Northern Ireland where, recently, access to Health Service dental treatment has been difficult, something that I know a lot about.

Those are examples of the improvements in services that the Executive intend to deliver this year. Overall, the 2009-2010 provision in the Estimates will enable the continued delivery of the vital core services, including hospital services; community and primary care; social services; and mental-health and learning-disability programmes.

Turning to roads, the recent completion of the widening works on the M1, Westlink and the M2 will reduce congestion and benefit the economy. The 2009-2010 Department for Regional Development (DRD) expenditure plans that are before the House will ensure the continued improvement of our road infrastructure. However, there must be an appropriate balance of development between the private and public transport sectors, with further investment in this financial year on new trains to increase frequency and capacity in the greater Belfast area and on the Belfast to Londonderry line.

I could not conclude this brief summary of some of the main services that are planned for 2009-2010 without mentioning the numerous social security benefits, totalling over £3 billion, that the Department for Social Development (DSD) will administer during that period. The passing of the Supply resolution and the approval of the 2009-2010 Main Estimates will enable pension benefits and credit, disability benefits, income support, housing benefits and winter fuel payments, to name but a few, to be paid for the remainder of 2009-2010. Those benefits are crucial to many families at this time of economic downturn, and they underline the importance of the Supply resolution.

The continuation of funding for social and affordable housing, as well as the important support for the community and voluntary sector, is also vital to our communities, and the Department for Social Development has the largest capital allocation of any Northern Ireland Department over the next two years.

The importance of this stage of the public expenditure cycle, including the Assembly's anticipated approval of the Supply resolution and the associated expenditure plans that are laid out in the 2009-2010 Main Estimates, cannot be overestimated. Failure to approve the resolution would result in serious consequences for public services, which I have highlighted. Departments would run out of cash and public services would grind to a halt, something for which the people of Northern Ireland would not forgive the Administration.

The forthcoming June monitoring round, and those for the remainder of 2009-2010, will provide the opportunity for a revision of the plans in light of changing circumstances.



I am sure that, during today's debate, Members will avail themselves of the opportunity to provide their advice and recommendations to the Finance Minister and the Executive on our proposed revisions for 2009-2010. Maybe more in hope than in expectation, I ask Members to put forward their spending proposals in tandem with sensible proposals for reductions in public spending elsewhere in the Budget.

Following this debate and the passing of the Supply resolution, I intend to introduce the related Budget Bill. As this is the fifth time since May 2007 that the Assembly has gone through this process, Members will be familiar by now with the need for the accelerated passage of the Bill, as specifically recognised in Standing Order 42(2) of this Assembly. Once again, I acknowledge the vital role played by the Committee for Finance and Personnel and its pragmatic approach to that matter.

Members will also be familiar by now with the differences between Budgets and Estimates. Estimates reflect the spending plans of Departments, while the Budget reflects the spending plans of the wider public sector, including arm's-length bodies. Those differences are reflected in the resource and capital reconciliation tables, from Estimates to Budgets, in the supporting statements section of each Department's estimate.

I remind Members of the significance of today's business. Approval by this legislature of the 2009-2010 Estimates and today's Supply resolution will provide Departments with the legal authority to spend cash and use resources on the services that they plan to deliver, up to the limit that is set out in the 2009-2010 Estimates, the Supply resolution and the related Budget Bill. That means that this House will subsequently hold Departments accountable for managing and controlling their spending and resources within the limits authorised today. Any breach of the limits set by this Assembly will be reported by the Comptroller and Auditor General to the Public Accounts Committee, following his examination of departmental resource accounts.

When referring to the spending plans for the Budget today, some Members will, I expect, press again the case for the Executive to take forward a formal budget process in light of the changes in economic circumstances or, indeed, for other less benign reasons. However, the Executive already have procedures in place to allow changes to be made to existing expenditure plans throughout the in-year monitoring process. With regard to the economic downturn, that process allowed the Finance Minister to announce a significant financial support package as part of December monitoring, while recent initiatives by the Department for Employment and Learning (DEL) and my Department were taken forward without the need for a Budget process.

The Executive are not being dogmatic in that respect, as a Budget process would be taken forward were it required. However, to date, no proposals have been put forward that cannot be accommodated through in-year monitoring. I hope that Members agree that Departments and public bodies should focus on delivering public services and supporting industry, rather than indulging in a costly, bureaucratic and distracting Budget exercise.

**Dr Farry:** The Minister said that monitoring rounds are sufficient to allow flexibility in dealing with different economic circumstances. However, does she accept that monitoring rounds are themselves limited to the amounts that Departments surrender or the Barnett consequential that the Executive receive, and that, unlike a Budget, they cannot delve into existing policies and practices to see whether they are still relevant or whether moneys could be better spent elsewhere?

**The Minister of Enterprise, Trade and Investment:** I am sure that we will have a full and open debate about the Budget process during the next couple of hours and, indeed, tomorrow. Nothing has come before the Executive yet that has not been able to be accommodated by the monitoring rounds; that is what the Finance Minister is saying clearly.

I wish to make a final point about the presentation of the Estimates document, which I hope Members have had an opportunity to look at. The more observant Members will have noticed the new look for the 2009-2010 Estimates. In recent years, the Estimates documents have been printed on high-quality, glossy, coated art paper — I notice that the Member beside me is flicking through a previous one — with coloured pages separating each Department and the supporting documentation. In line with the Department of Finance and Personnel's (DFP) sustainable development policy, this year the Estimates have been printed in black and white on recycled paper containing 75% post-consumer waste. In addition, that has reduced the cost of printing the volume in line with DFP's efficiency savings programme. I am sure that Members will not mind that at all.

In conclusion, as we approve the opening departmental positions for this financial year as set out in the 2009-2010 Estimates, some difficult decisions lie ahead for the in-year monitoring rounds. No doubt, many Members will demand additional funding for many worthwhile projects and services, and they will probably do so during the debate; in fact, I know that they will. However, I ask Members to remember that we have a finite Budget, and any demands that are made today for additional funding should be accompanied by recommendations as to where that additional funding should be found. Our task is to juggle competing priorities within a limited Budget so that we deliver

our public services. I look forward to a healthy and robust debate on those issues.

I ask Members to support the resolution to approve the opening position for the 2009-2010 year and to ensure that provision is made for vital public services to continue beyond the current position in the Vote on Account.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister of Enterprise, Trade and Investment for being here to represent the Minister of Finance and Personnel, who cannot be here today. If we were to pay attention to some of the comments in the media, that might be seen as something of a rehearsal. However, I commend the Minister for her detailed and precise presentation of the resolution and the Budget targets.

Senior departmental officials briefed the Committee for Finance and Personnel on 27 May 2009 on the Main Estimates for 2009-2010 and the associated Budget (No. 2) Bill, which gives legislative approval to the Estimates and which is to be introduced in the Assembly following this debate. Advanced copies of the Main Estimates were made available to Committee members prior to the briefing, and departmental officials also provided the Committee with a paper that reconciled the figures in the Budget to those in the Main Estimates for 2009-2010.

At departmental level, the main difference in DFP's allocations in the Executive Budget and the Main Estimates for 2009-2010 related to an additional £4.1 million transfer from the Office of the First Minister and deputy First Minister (OFMDFM) for the central reform of IT services. Following the briefing, the Committee for Finance and Personnel agreed to support accelerated passage for the Budget (No. 2) Bill for 2009.

As the Minister said, the Main Estimates and the associated Budget (No. 2) Bill are the outworkings of the process to finalise the Executive's Budget for 2008-2011, which the Assembly agreed in January 2008. In December 2007 when the Budget was at draft stage, my Committee published a report that included substantive submissions from all the Assembly's Statutory Committees. The Committee received a formal response to that report, and it is continuing to monitor the implementations of its recommendations, especially those to improve financial management in Departments.

The underlying spending plans for 2009-2010 brought forward in the Main Estimates reflect the position established in the second year of the Executive's three-year Budget. Although the Budget for 2008-2011 has been agreed already, Members should be aware that the Assembly and its Statutory Committees can

have an input to the reprioritisation of resources in 2009-2010 via the in-year quarterly monitoring rounds. Indeed, the Minister referred specifically to that point, which I support

The Department completed a review of the monitoring-round process at the end of March 2009, and my Committee is waiting to be briefed on the outcome of that review. I urge the Minister to ensure that that report is made available as soon as possible, because, due to the ever-increasing pressures on resources and the rising concerns as expressed by all parties in the Assembly, it is extremely important that the monitoring-round process is as effective and transparent as possible.

Another area that may have an impact on the expenditure proposals in the Main Estimates for 2009-2010 is the achievement of existing targets for efficiency savings, especially given the added challenge of the pending additional efficiency cuts that were signalled in the Chancellor's recent Budget announcement. The Committee has been briefed by the Department on progress in delivering the Department's own efficiency plans in 2008-09, and officials have raised concern already at the impact that efficiency targets may have on delivery in this financial year, 2009-2010. I urge the other statutory Committees to continue to scrutinise the efficiency delivery plans of their respective Departments.

*1.00 pm*

At a more strategic level, officials from the Department of Finance and Personnel's central finance group gave evidence to the Committee in January 2009 and informed members that they had undertaken a qualitative analysis of departmental efficiency delivery plans. Almost five months ago, the Committee requested a copy of that analysis, but, disappointingly, we have yet to receive it. I ask the Department to make that analysis available forthwith, and, in the interim, perhaps the Minister will comment on the potential pressures that efficiency targets may place on this year's Budget.

The Budget for 2008-2011 made provision for capital receipts of £486 million for 2008-09 and £266 million for 2009-2010. That included a planned receipt in 2008-09 of £175 million for the Department of Finance and Personnel from the Workplace 2010 programme, but those funds were not realised as the planned sale of accommodation under that programme was not taken forward. Will the Minister outline how shortfalls in capital receipts for last year and the uncertainties that abound regarding the achievement of the 2009-2010 target have been built into those estimates? If no such provisions exist, will the Minister indicate what options are currently available to the Executive to address in-year budgetary pressures for 2009-2010?

Stopping the Workplace 2010 procurement exercise has had expenditure ramifications for the Department

of Finance and Personnel's own budget beyond the loss of the £175 million capital receipt. Much of the public sector estate, as I believe all Members will be aware, is in urgent need of maintenance, with health and safety implications now having to be addressed by the Department.

Indeed, the Department of Finance and Personnel has already submitted a £6 million bid in the June monitoring round for urgent maintenance to the Civil Service office estate. That Department also has a lead responsibility for a number of Civil Service reform programmes, and, despite previous assurances that those will be funded from the monitoring round process, many of the Department's bids in relation to those programmes were not met last year. A further bid of £15 million was submitted in June, and we wait to see whether that will be met.

Already, it is apparent that the Department's budget for 2009-2010 is under pressure. The Department submitted bids totalling £26 million for the June monitoring round, which is a very early stage in the financial year and is against an opening departmental baseline of £190 million. In the past, DFP officials have stated that more revenue will be generated from an improved performance in the collection of rates by Land and Property Services, and the Committee has taken a very focused and critical interest in that body. It has asked to be briefed as soon as possible on the performance and efficiency delivery unit's review of it.

Going forward, the Committee must agree an efficient and effective process for scrutinising and agreeing future Budgets. My Committee has already made representations in that regard, including a submission on the Budget process, made in October 2008. However, the Committee is still waiting for a response from the Department of Finance and Personnel on the recommendations in that submission and an outline of the Department's views on a future process. That must be addressed as a matter of urgency.

In conclusion, I want to speak on behalf of my party. For Sinn Féin, tackling the economic and fiscal crisis is a key priority for the Assembly and the Executive. At a time of economic crisis, it is even more critical that those who are most disadvantaged and in the greatest need are given additional help and assistance. My party recognises that the Executive have been very alive to that priority.

Given the efficiency savings pressures that exist, including those that are being proposed by the Chancellor and the Treasury, there is a need for an all-party commitment to defending front-line public services. Sinn Féin supports greater efficiency savings, but such savings should be made in obvious areas, such as the bonuses received by senior civil servants and the grossly inflated salaries of some in public bodies.

Front-line services must not be the first resort; indeed, they must be defended. Sinn Féin believes — I think that other parties would expect us to — that, given the financial and economic constraints affecting the Southern economy and our regional economy, there is a need for greater co-operation, particularly on delivering shared services, especially in the border area. It is simply a waste of time and money to deliver such services on a back-to-back basis. It is a particular waste when the economy is under such pressure.

**The Chairperson of the Committee for Agriculture and Rural Development (Dr W McCrea):** I speak as the Chairperson of the Committee for Agriculture and Rural Development, and I will limit my comments to the Estimates that are relevant to that Department.

This has not been an easy year for the agriculture industry, and everyone who knows that industry is aware of the challenges, including the high costs of fuel, feedstuffs and fertilisers that are impacting on farm businesses across the sector. In addition, the severe weather in the summer of 2008 played havoc with, in particular, the potato and cereal sectors. I therefore thank the Minister of Finance and Personnel and his Executive colleagues for agreeing to lessen the burden on small but important parts of the industry through the hardship schemes for the fishing and potato industries. Those small amounts of money have been important in securing family businesses and have certainly not been taken for granted. I also welcome the additional £2.3 million that has been made available for the south Down fishing village programme. That will provide much-needed support to communities that have been negatively impacted as a result of the difficulties faced by the fishing industry on which they are dependent.

Overall, the Department of Agriculture and Rural Development will see a net increase in its cash requirement of just over £40 million. That is to be welcomed. The highest proportion of that, some £29 million, relates to the farm nutrient management scheme, which will allow Northern Ireland to be compliant with the EU nitrates directives. It should be noted that, as with most schemes of that nature, the grant that is payable represents only 40% of the total cost of carrying out those works, the balance of 60% having been found by the farm businesses. That represents a major investment in Northern Ireland's rural economy by farm business at a time of severe economic downturn.

I am sure that the House will agree that we ought to congratulate farmers on their bravery in investing their hard-earned moneys in their businesses and in the economy. I also call on the Department of Agriculture and Rural Development to ensure that it processes the outstanding claims with as much speed as possible, because most farmers will have had to borrow money



in order to invest. It would be a total injustice to them and their willingness to support their local and national economies if they had to incur huge bank fees because of the apathy of the Department in processing claims. That is vital because many farmers have not received much help from the banks. In fact, fees have been burdensome at a time when farmers have had so many other economic pressures. It is therefore very important for the Department to pass on the money as quickly as possible, and all steps must be taken to allow that to happen. If positions must be rejigged within the Department to make that happen, that must be done, as many farmers have received a half payment but are still short of the other half and have had to subsidise that for the benefit of everyone and the environment.

Although it is not strictly relevant to the debate, my Committee also notes the willingness of family farm businesses to invest in the modernisation of their enterprises.

I call on the Department to examine critically its budget provisions in the Northern Ireland rural development programme to determine whether shortfalls in parts of the overall programme budget can be transferred to that worthwhile and well-supported scheme. The leverage of approximately 60% of overall costs from the private sector — the farmers themselves — will massively boost the local economy and local businesses beyond those that are involved in farming. For example, it will boost light engineering and processing companies. I ask the Executive to encourage that to be a reality, because it is vital to get the money circulating in Northern Ireland. I take my hat off to the farmers, who, in these times in which they face so many challenges, are up-front in investing their own money in the industry's future and in the Northern Ireland economy.

Although the Committee supports the Department in such matters, it is concerned about some traditional allocations, particularly that for disease control. We note that an element of the £12.5 million increase given to the Department's central policy group is for animal disease compensation. I am not sure whether that figure includes the bid for an additional £6 million that was made in the June monitoring round. Irrespective of that, it is evident that the Department is not controlling the diseases that are most relevant to Northern Ireland agriculture, particularly TB. The Minister of the Environment has given the Department of Agriculture and Rural Development approval for a limited badger cull, yet DARD has been totally inactive on that. The Committee calls on the Department to take the brave decision to eradicate animal diseases, thus saving the Northern Ireland block more than £60 million a year. That is no small amount of money, so the Minister must take every possible action to ensure that the money is well spent. I am sure

that the Minister of Finance and Personnel will consider the situation very carefully, because that is a recurrent amount of money that is being spent in Northern Ireland. The underlying problem of eradication of disease is not being dealt with. Action must come from the Department of Agriculture and Rural Development.

The Committee notes that the spring Supplementary Estimates identify a number of significant decreases, for reasons such as the reallocation of administrative budgets. We appreciate that those decreases are subsequently reallocated across Departments and the Northern Ireland block, but we are concerned that they are happening. Therefore, we call on the Minister of Agriculture and Rural Development to assure the Committee and, more importantly, the rural community that the decreases will not result in a decline in the provision of front line services to rural Northern Ireland.

The Committee is pleased at the additional moneys that are coming to the Department. We hope that the Department will continue to work with the industry to promote a stronger, more vibrant industry and rural economy.

**Mr McNarry:** The outgoing Minister of Finance and Personnel either holds this place in contempt or has a genuine reason for his absence. Therefore, it would be appropriate to hear the reason that Mr Dodds has for not attending. I shall not speculate or fuel rumours about his future or that of other DUP Ministers as they dispose of double-jobbing in a party reshuffle to hide their unbounded embarrassment, but the fact that the outgoing Minister is not here today and, I understand, will not be here tomorrow for the Second Stage of the Budget (No. 2) Bill tells its own story and adds only to vivid speculation. He should be here. The reason for his not being here needs to be better than "very good".

Perhaps the interim Minister could explain why the Department is not accepting any spending bids for the June monitoring round. Is that not an exceptional situation that deserves explanation? Has a decision been taken that effectively means a scenario of massive overspend, or an unwillingness to admit reliance on underspends, which creates an inability to balance the books not at the end of the year but in the first quarter? In other institutions, a message that instructs Departments not to make a bid would set alarm bells ringing. Is that a message of prudence, or has spending been excessive and the purse emptied? Is such an instruction from a Government not unprecedented? Will the interim Minister take time to allay the genuine fears that are circulating that the Department is overseeing the stretching of the Northern Ireland block grant to levels that cannot be sustained?

The refusal of the Finance Minister to shift on reprioritising the Budget must be one of the foremost examples of political inflexibility and rigidity in the modern legislative arena. As we vote for the Supply resolution, we vote to sustain a system that predates the world financial crisis and the recession that occasioned the rewriting of budgets and the redesign of governmental fiscal structures across the world in every country except Northern Ireland. "No change here" is the slogan.

1.15 pm

Unfortunately, there is change here. When I first raised this matter last October, there were 29,000 people unemployed. Today, that figure has risen to over 47,000. One might suppose that those horrendous figures would present a learning curve steep enough for even the outgoing Finance Minister to recognise that he might possibly have been mistaken in not reordering the priorities of the Programme for Government. However, his refusal to move on that matter earns the cosy coalition the title "the do-nothing Government", presiding over a situation in which 81% of this Assembly's time is taken up with private Members' motions that are not binding on Ministers and only 18% is taken up with Government business. That is a scandalous state of affairs that cannot continue. After the humiliation and reversal of last week's election result, one hoped that there might be a rewriting of the Programme for Government. However, the DUP are like the Bourbons after the French revolution:

"They have learnt nothing, and forgotten nothing."

We vote today on a Supply resolution and associated Budget designed for a world before the worst recession and banking crisis since 1929. I ask the Minister once again, even at this late stage, to think again and order a thoroughgoing review of the priorities in the Programme for Government. I ask that in the name of the 47,000 unemployed and those who daily increase that number and of those who live in fear that their jobs will be terminated tomorrow or even today. I ask it on the grounds of common sense.

What about the black hole, which was £1 billion and rising at the last count? When will someone level with us as to how the deficit-financing scheme is performing? How many Departments have underspent so that they can balance their books? When will someone withdraw the bonuses of senior civil servants in Departments that have underspent and failed the public? Will someone tell the House what will happen after 2011, when efficiency savings of £14 billion will be imposed throughout the United Kingdom legislatures? What are the contingency plans for that situation? Members want to hear from someone with ministerial responsibility for finance.

Until now, yesterday's Finance Minister had been building his latest house of cards around the suggestion

that all of the pain would come after 2011: bully for him. However, it goes without saying that, if the Chancellor proposes a three-year spending review, that will lead, almost inevitably, to a reduction in the block grant before 2011. That is what is likely to hit Northern Ireland; that is the pain that is coming very soon.

Sound Government finance is not theory. It can never be established by creating a Programme for Government before a worldwide economic crisis erupts and then sticking to it rigidly, no matter what happens in the economy or in the real world. Of course, it must be difficult for double-jobbers and treble-jobbers to latch on to that fact. Let us face it: their multiple salaries cushion them from the impact of an economic downturn or recession very nicely.

That fact has resonated with an electorate who are fed up with false promises. It has struck home with people who, last week, struck back and sent the DUP crashing. Those people are indignant and angry at seeing that their trust has been misplaced. What is being talked about today, regarding the Supply resolution, is the highlighting of a financial situation and the fact that the person charged with responsibility happens to be somewhere else. We do not know where. The House deserves better, and I hope that that is what it will get in the not-too-distant future.

**Mr O'Loan:** I am pleased to contribute to the debate on the Supply resolution. Some time ago, Jonathan Swift made a modest proposal to deal with the enormous poverty and hardship that existed on the island of Ireland at that time. He proposed that the people of Ireland should eat their babies. I want to start with a modest proposal to deal with the current crisis in Government finances: the Assembly should abolish the post of Minister of Finance and Personnel. It is a modest proposal, which would be easier to realise than Swift's for the simple reason that the Northern Ireland public would not notice any difference.

The Minister of Finance and Personnel says that a three-year Budget has been created and that, no matter how the world changes around him, he will not alter it. The Finance Minister's function is, essentially, to create the Budget. He says that he has created a Budget and that it still stands. At the start of the debate, Minister Foster made a speech which could have been written 18 months ago. Indeed, quite probably, civil servants wrote it when the Minister of Finance announced his three-year Budget, and it has simply been cut and pasted from that speech. That is consistent with his position. He says that there is no need to make any change to the Budget. Therefore, I offer my modest proposal to the Assembly.

The SDLP expressed serious concerns about the three-year Budget and the Programme for Government at the time of their creation. Many of my party's fears

have been realised. We remain gravely concerned about the extent to which the Budget was predicated upon efficiency savings and asset sales, asset sales that have not been realised. That has led to major concerns from a range of organisations and sectors about subsequent cuts in front line services. A senior Housing Executive manager said that he is operating in the most difficult funding environment that he has ever operated in, and a senior Health Service manager said that efficiency savings are simply cuts across the Budget that directly impact on front line service.

The global and, consequently, the local economic climates have shifted hugely in the past year to 18 months. The Executive have done remarkably little to take account of that. The deferral of water charges is a significant issue, and we have talked before about the lack of ring-fenced money to deliver much-needed services for children and young people.

During last year's debate on the Supply resolution, the SDLP expressed serious concerns about the ability of the DUP and Sinn Féin to deliver a coherent strategy of government based on a shared society. There have been some high points, and, when good things are done, I recognise them. Politicians on all sides of the House rose to the occasion and showed what a shared society could mean after the recent tragedy of the murders at Massereene barracks. However, there is no question that that approach is not broadly sustained in the day-to-day realities of delivery in the Assembly.

The public have a vague sense that the Assembly is not delivering. However, people would be shocked if they knew how little business is before the Assembly. The reality is that numerous issues and papers are logjammed because of conflict between the Democratic Unionist Party and Sinn Féin. The two parties have managed to deliver, at best, a fraction of what was promised in the Programme for Government, and the Executive seem to lack strategy and leadership. They talk about delivering for the economy, but the SDLP has identified many issues in its significant paper, 'New Priorities in Difficult Times', and our lead has not been followed.

The Minister has stated that he wants to always be:

"flexible and responsive to changing circumstances." —  
[Official Report, Bound Volume 40, p152, col 1].

Moreover, a senior Department official referred to the "cessation of low-priority programmes." However, those approaches differ from the Minister's actual decisions on this, which have meant no change to the Budget in light of the colossal change in economic circumstances. Yet again, the SDLP calls on the Minister to prioritise retraining, helping small and medium-sized businesses and putting more money into social housing and the green economy, particularly energy efficiency.

I want the House to recognise that I give credit where it is due. I have heard sound and good feedback about Invest Northern Ireland's credit crunch seminars and its follow-through, which provides diagnostic input to businesses. I welcome the two recent ministerial statements about retraining and apprenticeships. However, not nearly enough has been done. As Stephen Farry said, it is not good enough to say that we can address those issues through monitoring rounds alone. I spoke earlier about abolishing the post of Minister of Finance; perhaps we need a Minister for monitoring rounds.

It is worth commenting on the interesting little example of Workplace 2010, which collapsed. I could say much about the reasons for that collapse and what it indicates about the Department's management of the project. We have been told that that financial hit was taken last year, and it has been suggested that we are through that problem. We are not through that problem. The £175 million that ought to have been available through last year's Budget should have been used to deliver projects. However, those projects have not been delivered.

1.30 pm

There are other Workplace 2010 issues, such as the decentralisation of posts, which was one of the fundamental political challenges that faced the Assembly. On the face of it, each party in the Assembly subscribed to decentralisation, but the degree to which it was written into Workplace 2010 was unclear from the outset. There now seems to be no commitment to the proposals in the Bain Review on policy on the location of public-sector jobs in Northern Ireland.

The collapse of Workplace 2010 means that the Civil Service estate is not fit for purpose, and no revised proposals have been made on how to put that right.

We were told last year that the Civil Service equal pay claim would cost at least £100 million. Is the Minister going to tell us that, in light of the resolution in the House on 1 June 2009, he will resolve that issue and pay those civil servants what they are entitled to within three months?

I welcome the Minister's announcement on senior Civil Service pay and bonuses, but we need more detail about how and when that will happen.

The Minister will know that the Committee for Finance and Personnel has embarked on a major inquiry into public procurement because of serious concerns that the system is not working. Legal challenges have been made, and owners of small and medium-sized businesses say that they cannot get a slice of the action. There has been a failure to use social and environmental clauses to deal with the current economic situation.



There are many other issues that I want to address, but they will have to wait for another occasion.

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Mr O'Loan:** There will be another opportunity tomorrow when we debate the Budget (No. 2) Bill.

**Dr Farry:** I apologise for missing the first few minutes of the Minister's statement; I was in a Committee meeting.

I welcome Arlene Foster to the Chamber today; she has been a dexterous Minister in the past few days in fulfilling a number of roles, which may be a portent for the future. We do not need to abolish the post of Minister of Finance and Personnel; finance is an integral part of government around the world. However, I concede that we need a change of direction with regard to budgets, and a change of personnel may assist us in that.

There is frustration not only in the Chamber but across the whole of society about the inability of the Assembly to respond more effectively to the effects of the economic downturn on Northern Ireland and to plan for economic recovery when it comes. We should be optimistic in that regard. There is a lack of flexibility in what we do, which stands in stark contrast to what is happening in virtually every other jurisdiction around the world as they wrestle with the economic situation.

We are locked into the figures that were set out in the 2008-2011 Budget, with some minor modifications. Nevertheless, it is worth stressing that even the changes that were made in previous monitoring rounds do not affect the underlying baselines. For example, the Minister mentioned what I now call the £150 spring fuel payment, as opposed to the winter fuel payment. That one-off payment was taken out of the £25 million fund that was set up under the Financial Assistance Act (Northern Ireland) 2009; it remains to be seen whether a similar decision will be taken for next winter. If that is the case, it begs the question of whether it is better to invest in energy efficiency in people's houses rather than giving them payments every year. Surely that would provide a more longer-term benefit for people who are in fuel poverty.

It is important that we nail the wider issue of monitoring rounds. The Executive have made a lot of the fact that monitoring rounds exist to deal with flexibility and to allow Northern Ireland to respond to changing circumstances. That may be true to an extent, but the extent to which it is true is extremely limited. Monitoring rounds are determined by two factors: first, what Departments are prepared to surrender as underspends; and, secondly, what Barnett consequentials come to Northern Ireland. However, I will say more about that shortly.

Monitoring rounds do not have the same effect as a Budget. They do not allow for a review of existing policies and programmes to see whether we are responding to situations as efficiently and cost-effectively as possible. At the same time, they do not allow us to ascertain whether current programmes are redundant or whether money can be better or more efficiently used for other, more productive purposes. That means that we are missing out on that root-and-branch analysis of what we do with the very limited and scarce resources that are available to us.

Claims have been made that through monitoring rounds, large amounts of money have been changed between Budget headings. Again, it is worth stressing that few of those changes relate to the specifics of dealing with a recession in Northern Ireland. A lot of the changes have been made to simply meet demands from Departments, or more usually, to help in situations where funding pressures have been created, whether through Workplace 2010 or the Executive making a decision without having worked out the cost of further deferrals of water charges, for example. Even today, we are faced with a paper from the Minister for Regional Development calling for the further deferral of water charges beyond 2011. That may be the right thing to do if we weigh up all the different and competing demands facing Northern Ireland. However, I find it incredible that we are talking about making a decision on future spending before we even get sight of what the 2011-14 comprehensive spending review will mean for resources for Northern Ireland. If we think about financial management, that is an amazing situation.

We have also heard talk of a £1 billion black hole. I am not going to go down that route, because that is essentially a notional figure somewhere between the maximum amount of future demands from Departments and resources being surrendered. In practice, the sum will be a lot less than that. However, we are uncertain about what Departments will be surrendering, and there is a legitimate question about how the Executive will be able to balance their books over the months and years to come. If we are going to use astronomical terms, we should perhaps talk about a quasar, where a little light comes out at the end of a tunnel, rather than a black hole, which sucks up everything.

In the short term, although we must accept the limitations of monitoring rounds, a lot of the focus will now shift to the June monitoring round to see what the Executive can do. Following the Chancellor's Budget in April, £116 million in Barnett consequentials will flow into Northern Ireland over the next two years. Those consequentials have arisen due to the fact that the Government made the decision, at a UK-wide level, that they still need to invest to deal with the downturn and to prepare for recovery. That should give

a very clear hint as to what we should be doing in Northern Ireland.

At the same time, we are faced with finding £123 million in efficiency savings over the next two years. There will be a very strong temptation for the Executive to set one sum off against the other. Rather than taking the opportunity of spending £116 million to help our economy, we may simply use it to balance the books without trying to change the way that we do things in Northern Ireland. If that were to happen, it would be a tremendous shame and a wasted opportunity. It would show a lack of creativity and imagination on the part of the Executive. Two weeks ago, the Finance Minister indicated that he was minded to do that with those figures. That is disappointing. Although I recognise that under devolution, it is fully up to the Executive to do with those consequential as they see fit — and I defend that right strongly — equally, there is a responsibility to ensure that we spend that money wisely.

Overall, the scale of the stimulus in Northern Ireland has been extremely small; it is barely 1% to 2% of the more than £8 billion departmental expenditure limit. That pales into insignificance when compared with stimulus elsewhere in the UK.

We are in a situation in which there are looming efficiency savings in the longer term. There is no doubt that Mr McNarry and his new party colleagues will be doing their utmost to ensure that Northern Ireland is spared the worst. However, we wait to see whether that will be the case. There is a wider debate taking place at UK level about when to turn off the tap with regard to Keynesian stimulus. Should one keep going, or if there are sufficient indicators of the green shoots of recovery, should one turn off the tap and recognise the looming difficulties of the debt burden that will have to be borne? I do not see any evidence that detailed and strategic economic discussion is taking place in Northern Ireland about whether we should be spending money now or holding back for a rainy day, which is disappointing.

The Minister challenged Members to state where savings can be made. First, we must be careful of going down the populist route: it is very easy to do so and receive easy plaudits. There is a need for responsibility in Government. I would hate to see the situation arise in which populism were pursued until the elections in 2011, with pain following thereafter. That is not the responsible thing to do for the people of Northern Ireland, who are more sophisticated.

The second issue relates to the cost of division. We have tabled proposals to the Executive on that matter, and I may take an opportunity to discuss them in greater detail tomorrow. I note that a Sinn Féin Member was talking about shared services around the border.

Although I respect constitutional appropriateness, my party and I are happy to explore that theme in much greater detail, because that is the constructive approach.

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

**Dr Farry:** Equally, Sinn Féin should consider our proposals for dealing with division in Northern Ireland and its financial consequences. I look forward to that discussion.

**Mr Hamilton:** I am pleased to contribute to the debate. This is the third year in which the Assembly has entered into the process. Many have stated their dislike for the process, but at least we are engaged in one. Regardless of one's perspective, we can all acknowledge that it is much more positive to have our own devolved Assembly in which people who are directly elected by the Northern Ireland electorate can contribute and make their points. If people disagree with the direction that the Executive are taking on public finance matters, they can air their views, which will be listened to and, from time to time, adopted. It is positive that we are debating the Supply resolution and that it is not being foisted upon us without any direct local input.

I will respond to some comments and try to make some of my own. I am instinctively drawn to Mr McNarry's comments first. In the same way that he sought an apology from the Finance Minister for not attending today's debate, Mr McNarry should apologise to the House for being here. He ran through a reheated ramble that, sadly, we have had to listen to time and again. However, he did make some new mistakes: he claimed that no new bids were being submitted by Departments in the upcoming monitoring round, which is incorrect. I am a member of the Finance and Personnel Committee and the Enterprise, Trade and Investment Committee, and I recall that during meetings of both Committees, departmental officials had submissions for the monitoring round. The Finance Department submitted bids for the monitoring round: what the Executive choose to do with those bids is a matter for them, but it is completely erroneous to say that no bids are being submitted.

We also heard the old chestnut about rewriting the Budget and Programme for Government: it is really time for the rewriting of speeches.

Whenever Mr McNarry calls for the Programme for Government to be rewritten, I am reminded of that now-famous comment from his party leader, the Minister for Employment and Learning, who when asked on the BBC's 'Politics Show' whether it should be rewritten, said "no, not at all". Instead of trying to bring that idea to the House to persuade the rest of us,



Mr McNarry would have a good job trying to persuade the leader of his own party of the merits of that argument.

1.45 pm

Other Members touched on the issue of monitoring rounds. The Budget, or the financial position, is not in any way static: it does change. Sometimes, it can be limited in its quantum and scope. However, if we are looking for a rapid response to an issue, the monitoring round process can deliver. It is completely and utterly wrong to say that nothing has happened since devolution. I believe that about £1 billion worth of resources have been re-allocated as a result of the monitoring round process since these institutions were re-established two years ago. Furthermore, £1 billion is not an insubstantial amount in any respect; it is a sizeable sum, which the monitoring round process has allowed to be moved to areas where it can be spent effectively.

I listened intently to Dr Farry's remarks about the June monitoring round and the impact of the Barnett consequential. He made an interesting case, and it is worth examining how we deal with that impact. Obviously, none of the Executive is contemplating that, but there is, perhaps, an argument in doing as he suggests, rather than just offsetting the additional money received against that which we lose. Perhaps we could examine how, even within Departments that would be losing that money, it could be reprioritised and retargeted, particularly for use as an economic stimulus. There is merit in that argument.

However, we saw recently that we do not need even the monitoring round process to deliver impact and benefit in the economic downturn. The Minister of Enterprise, Trade and Investment announced in the House recently a £15 million short-term aid scheme to help businesses, and the Minister for Employment and Learning announced the Skillsafe initiative, which is aimed particularly at apprentices. Those initiatives emerged without the need for a monitoring round or a formal Budget process. There was a reprioritisation within existing allocations to help those who are in need in this difficult economic climate.

When one hears talk about reprioritising the Budget, particularly from the Ulster Unionist Party, it would be interesting and useful if that party came forward with its own suggestions.

**Mr McNarry:** At least we are here to do it.

**Mr Hamilton:** I hear nothing at this stage; I hear only calls about reprioritising, but nothing about from where. There are lots of demands for more money for this and for that, but the flipside of that equation — the downside, the nasty side — namely, from where money would be taken, is something about which the Ulster Unionist Party is silent.

I have to at least acknowledge the SDLP's contribution. I might not agree entirely with some of its suggestions, such as felling an eighth of Northern Ireland's forests, or the idea that some of the money in Invest Northern Ireland or the Harbour Commissioners' resources, capital reserves or current cash reserves may be entirely accessible. At the same time, I do not believe that some of the very good ideas that the SDLP has about selling off some assets might be realisable at the levels that it suggests or at this time. However, the SDLP has at least made a valuable and useful contribution.

Dr Farry made a similar contribution for the Alliance Party. I will not say that I am looking forward to his contribution tomorrow, but I will certainly listen to it intently. However, at least that quarter is also making suggestions about what could be done. We can examine those, and the Executive and Departments could take some meritorious points from them and take them forward. However, the Ulster Unionist Party is curiously silent when it comes to making suggestions as to what can be done. Indeed, in the Executive, Mr McNarry's party colleagues agree, and have agreed, to what is going on. In fact, they initiated some of the very changes about which we spoke earlier.

Again, we had the re-appearance of the mysterious black hole. Dr Farry is correct in his assessment that many of the figures are simply aspirational. There are many things in the so-called black hole that it would be nice to deliver, and there are many ideas, policies and initiatives that it would be nice to implement. However, they were simply not as pressing or as likely to be realised as other matters.

I recall Mr McNarry saying some months ago that the Executive would overspend in the previous financial year. However, the provisional out-turn figures, which are due before the end of the month, will show that claim to have been nonsense.

Similarly, Mr McNarry's assessment that there is a black hole is nonsense. It is apparent that one thing that has fallen into a black hole is Mr McNarry's short-term memory. He said that nothing was being done on the review of senior civil servants' pay and bonuses. However, only last Thursday, the Minister of Finance and Personnel announced his intention to establish an independent review of senior civil servants' pay and bonuses. Therefore, Mr McNarry appears to be asleep at the wheel in that respect.

In discussions about what will happen in the next spending round, we are continually reminded by Mr McNarry and his colleagues that the next Government are likely to be Conservative. Things are bad now, but I am absolutely certain that, under the Conservative Party's power —

**Mr McNarry:** You can vote Labour then.

**Mr Hamilton:** I always vote for the DUP in a general election, and I will continue to do that.

Times are difficult, and Labour has shown its true colours by cutting and slashing away at budgets. However, one thing that is absolutely certain is that the Conservatives would be in no way better; in many respects, they would be much worse. There were revelations last week that the Conservatives would make 10% cuts to all Departments except health.

It is incumbent on the Ulster Unionist Party, which extols the virtues of its link with the Conservative Party, to explain how the people of Northern Ireland would benefit from a 10% cut in our public expenditure. The people of Northern Ireland will find it very difficult to see the benefit of that. Northern Ireland is experiencing difficult times, but it will be absolutely savaged by cuts if the Tories win the next Westminster election.

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

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

**Mr Hamilton:** It is incumbent on that party to come forward and tell us —

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

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

That party must tell us exactly what it will do to protect Northern Ireland from the savage cuts that the Tories are going to make across Whitehall and the United Kingdom Government.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle agus a chairde.

An issue that continues to make the headlines is the provision of housing, as does the issue of housing in general. The SDLP may well laugh, but the lack of available resources for housing is a matter of great concern to those of us who sit on the Committee for Social Development, particularly given the collapse of house and land sales.

We constantly hear about rising waiting lists — the latest figure is around 40,000 — and rising homelessness. The Minister of Finance and Personnel needs to take that into account when dealing with the Budget. It is essential that housing is provided to the people who are most in need in our society. That provision is a cross-cutting issue that impacts on people's education, health, employment and development in their community. Therefore, we have an obligation to ensure that resources are made available to deal with the issue.

Mike Smyth's report, which was launched last week, is a welcome addition to the housing debate. That report states that a well-funded social housing programme would impact on the hard-pressed construction industry. However, it must be noted that it

was the collapse of the private-housing market that had the biggest impact on the construction industry. In 2003-04, more than 93% of all housing — some 13,900 housing units — was built for the private sector.

The Committee for Social Development has supported, and will continue to support, the calls for more resources to be made available for housing, whether through the Budget's Main Estimates or through monitoring rounds. There is an argument that all types of housing need to be provided, not only social-newbuild housing. We must ensure that our housing stock's infrastructure is maintained. We must ensure that whatever Budget we are awarded reflects the different aspects of housing.

Unfortunately, that has not happened. Failing to include improvement grants, replacement programmes and cyclical maintenance in the overall housing strategy is short-sighted, and such an approach has a knock-on effect on the building industry. Unless the budget is revisited by the Minister for Social Development or additional resources are found, people who survive on Egan contracts or maintenance contracts, including those for repairs grants, will have to lay off many hundreds of people. That would have a knock-on effect on the entire local economy. Something needs to be done quickly, and I urge the Minister of Finance and Personnel to take that on board.

I would also like to make a couple of suggestions, one of which is to do with providing resources from the June monitoring round. Can the Minister stipulate that additional money will be reserved for all aspects of maintenance and repairs, including adaptations? Furthermore, will the Minister of Finance and Personnel consider allowing the Minister for Social Development to move the £110 million from the delayed Belfast Royal Exchange development project to cover the reduction in money for Egan contracts and all other aspects of maintenance?

I remind the Minister for Social Development that she is the Minister for Social Development and not just the Minister for housing provision. She needs to deal with all aspects of housing, including urban regeneration, social security and the community sector, which feels that it is being ignored when it comes to the Department's budget allocations. She needs to address all the issues for which she has departmental responsibility as a matter of urgency.

**Mr McCausland:** I am glad that we have devolution in Northern Ireland and that we as an Assembly have the opportunity to deal with issues concerning the Budget, rather than having decisions about financial matters imposed on us without any input from local politicians. Therefore, I welcome today's debate. However, we must face up to the

reality that, whatever the Budget, only a certain amount of money can be allocated, and if money is to be moved from one Department to another, it is a fact that one Department's gain will be another Department's pain. People who make unending demands for additional resources for their chosen Department and who seem to be almost insatiable in that regard must face up to the fact that if their demands are met, others will face substantial cuts. Therefore, we need to have a sense of realism in facing up to our responsibility.

I want to focus on one aspect of government, which relates to sport and culture. Those are areas of great importance, yet they are undervalued and underestimated in some sectors. In spite of all the financial pressures, one area of future economic growth in Northern Ireland is tourism. It is particularly important at a time when there is a lot of pressure on the economy and there are financial difficulties across the world.

The growing number of tourists coming to Northern Ireland over recent years is a continuing trend. Northern Ireland continues to be an increasingly popular tourist destination. However, if we are to meet the needs of tourists and attract them back again and again, we need to ensure that we provide an adequate product that will draw them here initially. Although that is primarily an issue for the Department of Enterprise, Trade and Investment, the Tourist Board and Tourism Ireland, the field of culture, arts and leisure has a major contribution to make in that regard.

I welcome the fact that the work on the upgrading of the Ulster Museum is almost completed, and there are developments planned with regard to the Ulster Folk and Transport Museum at Cultra and the Ulster American Folk Park at Omagh. However, that must be seen as simply the first stage in the development of our museums sector. Some good work was done on the development of a strategy for that sector, and the Department is taking that forward.

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

**Mr McCausland:** I know what the Member is going to say, but I will give way.

**Mr Neeson:** Does the Member agree that more attention should be given to the development of maritime heritage in Northern Ireland?

**Mr McCausland:** There is a certain predictability with some of us, and I agree with that predictability entirely, because I was just about to come to that very point. Northern Ireland has a tremendous shipbuilding heritage and maritime history, and that needs to be developed. *[Interruption.]* I will ignore the comments from my colleague on the right. That sector of the museum world needs to be developed, and I fully support the Member's comments.

In fact, when the Committee was working on the subject of museums, maritime museums were brought up again and again as being of great importance.

2.00 pm

However, museums are only one sector, and the needs of sports must also be considered. The safety of sports grounds presents a major challenge. I hope that not only will the money currently focused on that area continue to be provided, but that a little additional money may be obtained. Over the years, the necessary investment has not been made in sports grounds right across Northern Ireland, with the result that many fall below the standard of safety that is desirable — indeed, essential — for the good of spectators. Therefore, the safety of sports grounds must feature strongly in the Assembly's financial planning, alongside the issue of stadium development.

**Mr McCarthy:** Before leaving the subject of museums, does the Member agree that Northern Ireland is entitled to a sports museum? Throughout the ages, Northern Ireland has produced a great many sportsmen and sportswomen, and a sports museum would be highly attractive to tourists.

**Mr McCausland:** I thank the Member for his intervention. I agree that Northern Ireland's rich sporting heritage should feature in the museum sector. How that will be done is a matter for consideration in the context of the strategy for museums, but sports should not be ignored. Northern Ireland has a number of sportspeople of world renown.

The reports that have been produced on the state of sports grounds give genuine cause for concern. Therefore, investment in that area should be encouraged. Sport does not merely have the general benefit of improving and enhancing the quality of life; it can contribute substantially to young people's good health. I am holding my stomach in as I say that this country has an obesity problem. It is, therefore, good to encourage young people, and those of us who are slightly older, to become involved in sport. Such increased involvement would, undoubtedly, improve the standard of health right across society and result in savings in the health budget. We should not simply regard culture and sports as separate entities to be examined in isolation. They benefit all society, through the economic development of tourism, improving health, and enhancing physical and mental well-being.

It was noted earlier that, although a certain amount of money will be allocated to Northern Ireland, ultimately, we are dependent on the Westminster Exchequer. My colleague Simon Hamilton pointed out what will happen whatever is the outcome of a future Westminster election. All the evidence shows that under a Conservative Government, which is a distinct possibility at present, the financial situation in



Northern Ireland will become even more stringent. We must keep that to the forefront of our minds as we move towards that election.

**Mr Beggs:** Once again, the Assembly finds itself debating Northern Ireland's Budget. Although today's and tomorrow's motions on the Budget are largely technical in content, they provide another opportunity to take stock of our collective position in the middle of an economic crisis.

I join other Members in seeking an explanation of the Minister of Finance and Personnel's absence and his failure to deliver the Budget on behalf of his Department. That is one of the annual duties for which he earns some £54,000 a year, or over £1,000 a week, in a part-time role. He may have a valid and genuine reason for not being here, but surely Members should be made aware of what that is.

It is without any joy that I acknowledge that we seem, unfortunately, to be largely in the same position as we were after the February 2009 and December 2008 monitoring rounds. We are still balancing the books, as opposed to taking any decisive action to ease Northern Ireland out of the recession and place it in a strong position to compete in the future. It ought to be acknowledged that very little flexibility is available through in-year monitoring.

There has been much debate over the past year as to the existence of a hole in the Northern Ireland Budget. Perhaps we have been looking at that issue from the wrong angle. Northern Ireland is unlikely to go bust, as almost happened to some of our banks. Despite the unprecedented level of debt in which Gordon Brown has placed Northern Ireland and the rest of the United Kingdom, we will, hopefully, remain solvent.

However, our immediate aspirations and much of our Programme for Government are going or have gone bust. The public's belief in these institutions, in the lead parties that direct them and, most worryingly, in politicians in general, has been lost. Retaining the status quo of a Budget that was agreed two years ago does not give the public great confidence.

I will explain further. We are all aware that there has been a reduction of £133 million in the block grant for 2010-11. How will that be accounted for in the future? We must start to think about that now.

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

**Mr Beggs:** Mr Hamilton did not give way to me earlier. Therefore, I will not give way.

How is the Northern Ireland Civil Service (NICS) pay claim, which some estimates put at more than £100 million — perhaps £200 million or £300 million — dealt with in this Budget? There is also the Workplace 2010 debacle. As has been said, much of the Civil Service has substandard accommodation.

There has been the miscalculation of the value of the Crossnacreevy site by the Department of Agriculture and Rural Development (DARD) and by DFP, which had to accept that valuation. There is the loss of rates income by Land and Property Services, another DFP agency that is generating costs and reducing income through its gross failure to run an efficient rates collection system. A further £236 million of costs will accrue to the Executive as a result of the further deferment of water charges until after 2011, as suggested by Minister for Regional Development, Conor Murphy, and the Minister of Finance and Personnel, Nigel Dodds.

In light of those realities, and amid repeated calls from these Benches to take action —

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

**Mr Beggs:** No, I will not give way, for reasons that I explained earlier. The Member will have his opportunity to speak.

Amid repeated calls from these Benches to reprioritise the Budget in order to make what we have work better for Northern Ireland, the Minister of Finance and Personnel and the two main parties in the Office of the First Minister and deputy First Minister have refused to do anything. Is that because they cannot agree on what action to take?

Earlier in the debate, the Minister of Enterprise, Trade and Investment, on behalf of the Minister of Finance and Personnel, advocated the use of monitoring rounds for reallocation. I recall that last June there was no reallocation whatsoever. Will the Minister indicate now what moneys she expects to be reallocated in this year's June monitoring round? On the other hand, is the Minister being disingenuous by pointing Members towards a monitoring system that may not materialise?

It is continually claimed that the core of the Programme for Government was written for economic growth. However, unless one has been living on Mars for the past year, it is perfectly clear that, rather than economic growth, Northern Ireland has been experiencing growing unemployment. When the circumstances in which a plan is made change, surely the plan must adapt to that change.

Recent reports of "green shoots" are welcome, but do not hide the fact that job losses are still increasing and that job security is diminishing in many areas across Northern Ireland. I noticed during the past few days that the Institute of Directors forecasts that it may be next January or early in 2010 before the real "green shoots" appear. Only last week, like other Committee witnesses, Mike Smyth and Dr Mark Bailey from the University of Ulster indicated in their aptly entitled paper, 'The Case for Increased Investment in Social

Housing: June 2009', the economic and job-creating benefits of investing in building social housing.

However, largely due to a reduction in capital receipts received by her Department, the Minister for Social Development is facing a hole of £100 million in her housing budget. Setting aside the issue of social housing, the Assembly and Executive have been slow to react to areas of potential economic growth, such as green technologies and the wider economic potential that exists in tackling climate change. The Minister of the Environment, of course, does not believe that anything can be done about climate change, because man has nothing to do with it. How ridiculous.

The Programme for Government is focused on attracting foreign direct investment while our small businesses are struggling to get funding from the banks. Suggested programmes in that area must be welcomed.

Although financial and budgetary decisions take a while to filter down to the public, they undoubtedly have an impact, and the fact that we are, yet again, having a no-change Budget will further diminish the public's belief in the ability of politics to change things. Instead, the public appear to be focused on the observations and revelations about MPs' expenses. As people struggle with their own finances, they become increasingly aware of double-jobbing MPs, who receive MLAs', ministerial, Committee Chairpersons' and Deputy Chairpersons' salaries. That creates public dissatisfaction and a disconnection from politics. Public confidence is necessary if we are to change policies and budgets to meet people's needs.

MPs cannot be in Westminster and Stormont at the same time. Double-jobbing costs the public purse and, more importantly, there are bound to be other impacts. Obviously, double-jobbing means that we do not have full-time Ministers, and not being present in Departments for the required length of time undoubtedly has an impact on the decisions that are made. Following pressure from David Cameron, the DUP was forced to end its practice of double-jobbing, and the people of Northern Ireland showed their disgust in the European elections.

Recently, the Finance Minister announced that he is to commission an independent review of pay and bonuses for senior civil servants in Northern Ireland. I have no problem with that.

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

**Mr Beggs:** That is to be welcomed, but perhaps that Minister should begin by adding up the total salary and expenses that he earns from his North Belfast constituency —

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

**Mr Deputy Speaker:** Order. On a number of occasions, Members have requested that Mr Beggs

give way. He has made it quite clear that he is not going to give way.

**Mr Beggs:** I draw the Deputy Speaker's attention to the clock, which continues to run, so I hope that he will be lenient when it comes to the end of my time.

Those are issues that ought to be addressed. Rather than pointing the finger at others, let us set an example.

The huge debt that Gordon Brown has handed to the United Kingdom has been highlighted. Therefore, regardless of whether there is a Conservative or Labour Government, that debt will have to be paid. The failure of DUP Members to acknowledge that fact is quite surprising. Indeed, when talking about the Assembly Budget, Nelson McCausland said that Members will have to face up to a new reality. That is not the message that was being delivered when the DUP was talking about the prospects of future funding for the Assembly from Westminster. We will all have to face up to difficulties in the future, irrespective of who occupies Number 10.

It is accepted by all parties that, to date, the devolved institutions —

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

**Mr Beggs:** The outcome of the European elections has demonstrated the public's dissatisfaction with how things have been run in Northern Ireland, how the DUP and Sinn Féin have dealt with economic problems, and their lack of ability to instigate change in the Assembly.

**Mrs Hanna:** I rise primarily to contribute on health matters. The National Health Service has delivered major improvements, particularly in recent years. Investment has trebled, and the positive impact of that can be seen in the welcome reduction in waiting lists, and in the increasing number of healthcare staff. In Northern Ireland, approximately 100,000 people are employed in the National Health Service, and that includes a significant increase in the number of doctors. Furthermore, some good initiatives have been embedded in practice.

However, there are still many concerns. The media picked up on the Northern Ireland Audit Office's report into the health and social care sector, which highlighted the £16 million that has already been spent on compensating senior staff for the loss of their jobs as a consequence of reducing the number of trusts from 18 to five. In addition, a further £90 million has been set aside to meet the total early retirement and redundancy costs that will arise under the review of public administration.

That commitment of £106 million is front-loaded in anticipation of future substantial savings to the public purse as a result of the amalgamation of the trusts.

Those savings must be delivered, and they must be quantified as having been delivered.

2.15 pm

Some senior staff who have been let go are in final salary schemes and on salaries that are very generous by Northern Ireland standards. We must ensure that the interests of lower-paid staff in the trusts are as well protected as those of top management. People should not retire on generous packages and then pop up almost immediately in quangos or posts that should be available for people who are appropriately qualified and need the job. The Minister of Finance and Personnel should take another look at his — or, indeed, her — proposals because we are in a much changed financial environment.

There are also many concerns that the investment in the National Health Service does not always afford adequate front line services where they are most needed and that resources are being spent on expensive managers and agency staff rather than on permanent posts. We in the SDLP propose protecting front line services. In our 'New Priorities in Difficult Times' paper, we outline the need to ensure that we retain the 700-plus nursing jobs that the Minister has proposed to cut. I understand that the Minister has reassured the Royal College of Nursing that that will not be the case, and I hope that that is so. I will certainly watch that space.

There needs to be far more transparency and openness regarding performance and outcomes. Now that the trusts have been reduced and structures have been reformed, there will, hopefully, be no more changes for some time. We have to make the new system work better than the previous one. People are far more concerned about outcomes and quality, which is where the focus needs to be.

We are very concerned about the pressures on midwifery services across the North. We want the best possible start for babies and the best circumstances for mothers. I regularly meet former colleagues — doctors, nurses and midwives — who are deeply concerned about issues in the Royal Jubilee Maternity Hospital, primarily around staff shortages and overcrowding. Morale is sometimes low among staff because they feel that they cannot do the best possible job for their patients. They are worried about patient safety being compromised. I would be very interested to hear what consideration the Executive have given to our proposals, which would certainly ensure that early intervention is put into practice. They would also bring valuable jobs to an area that has been hit hard by job losses in the construction industry. Last month, the Royal Institution of Chartered Surveyors highlighted that the plunge in activity in the construction industry shows no signs of changing.

Despite many assurances that the recommendations of the Bamford Review of Mental Health and Learning Disability will be implemented, the low level of available resources for mental-health services, especially for the next few years, has seen many improvements put on the long finger. The delay in the implementation of key changes to services to support people with mental-health issues and/or learning disabilities is very concerning. There are old buildings that need to be replaced, but we cannot afford to close them until we have new buildings. People who leave care should also be provided with more appropriate supported housing.

There must be real partnership between Departments in all areas. There needs to be far more transparency and openness regarding expenditure, performance and outcomes. There must be a tightening of belts all round. As I have said, there should be far more focus on positive outcomes and a far more action-orientated approach.

We know from the Royal College of Nursing that there is a continuing reduction in the number of specialist nursing posts and a tendency to place inappropriate and unpaid leadership responsibilities on band 5 and band 6 registered nurses, which is unsafe practice. The number of trained mental-health nurses needs to be further increased to meet the needs in hospitals and the community. Although we welcome the increased number of midwives being trained this year, that increase needs to be repeated for several years to achieve an adequate number of trained midwives and to allow for wastage and increased birth rates in some areas.

In its 'New Priorities in Difficult Times' discussion paper, the SDLP identified ways in which money can be found to protect front line services. Saving money cannot simply be about taking a slash and burn approach to public spending in an effort to balance the books. The Department of Finance and Personnel can and should do more to support Departments in making efficiency savings. A Department with a huge number of staff, it could take more time to study the absolute financial detail. It is also the Department that has responsibility for personnel —

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

**Mrs Hanna:** Yes; I will.

**Mr McGlone:** Does the Member agree that, for those of us who sit on and who chair Committees, it would be very useful, in the interests of transparency and efficiency, to obtain the details of the monitoring rounds on time? One of the problems last week was that the Committee for the Environment did not have access to that detail to discuss it at what was a fairly late stage.

**Mrs Hanna:** I thank the Member for his intervention. It is absolutely essential that we get the details of the

monitoring rounds on time. It is important that we get far more financial detail to all Departments to help them make efficiency savings so that a slash and burn approach is not adopted, resulting in the loss of important front line services.

People who work in Departments are also affected. It is not Whitehall but a very small, local area. We must make a difference, because that is what devolution is supposed to be about.

**Mr Deputy Speaker:** Question Time commences at 2.30 pm, so I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Ms Carál Ní Chuilín.

*The debate stood suspended.*

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

## Oral Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Programme for Government

1. **Mr Hilditch** asked the Office of the First Minister and deputy First Minister when it will report to the Assembly on progress against targets set in the Programme for Government. (AQO 2951/09)

**The First Minister (Mr P Robinson):** I would have asked permission to answer questions 1 and 6 together, had the Member who was to ask question 6 arrived in the Chamber on time.

As Members know, the Programme for Government sets out a clear statement of the Executive's priorities, and we have already delivered significant successes across a range of areas, from investment in infrastructure to the appointment of commissioners and advocates for victims, children and older people, and from reforms in public services to delivering support to local people and businesses in the face of the economic downturn. It is clear that the delivery of the Programme for Government generates real, tangible benefits for the people of Northern Ireland.

On 5 March 2009, the Executive finalised the formal delivery framework for the Programme for Government. Structures and processes have been established across Departments to monitor and report on performance. A key element of the framework is the preparation of delivery reports, which set out progress made against the programme's key goals, commitments and targets.

On 7 May 2009, the Executive commissioned the preparation of a formal delivery report to show progress as at 31 March 2009. That report is scheduled for consideration at the Executive meeting on 25 June. We hope that it will be made available to the Committee for the Office of the First Minister and deputy First Minister for consideration before the summer recess. That will mark the first step in a wider consultation on the Programme for Government.

**Mr Hilditch:** I thank the First Minister for his answer. However, equally importantly, will he tell the House what structures exist in Departments to monitor their performance?



**The First Minister:** As a first step, a lead Minister and a senior official have been assigned to each target and commitment in the Programme for Government. Therefore, a person has been identified as being responsible for answering for each of the key goals. In addition, a small number of those key indicators will be identified to assess whether the delivery of the key goals and commitments is bringing about the real change that the Programme for Government envisaged. That assessment will carry on.

Each Department assesses where it stands on meeting those key goals through a traffic-light system whereby progress is identified as red, amber — an amber/green category has crept in — or green. Therefore, we know whether people are meeting their targets in each Department. Those results will be gathered in a delivery report, which will come to the Office of the First Minister and deputy First Minister (OFMDFM) and will be monitored by my officials. The Executive, in their periodic meetings, will also look at those reports and I imagine that, at that stage, Committees will wish to examine how their Departments are meeting their targets.

I hope that the requirement for progress to be monitored at every level in each Department, the Executive's oversight and the pressure exerted by departmental Committees will combine to encourage Departments to meet those targets. At the very least, that scrutiny will allow us to see where we are falling behind and, therefore, where more energy, or even resources, may be required to meet those targets.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. It is useful to get an update on progress that has been made to date on the Programme for Government. Will the Minister tell the House what progress has been made to date on meeting the targets to reduce child poverty?

**The First Minister:** I am not sure whether I should use the template that we have, because, as my ministerial colleagues know, it was an indicative report that was produced for the Executive, from which we took each of the responsibilities in the Programme for Government and worked them up. However, when the findings were brought to the Executive, some Ministers felt that they had performed slightly better than the targets that appeared in the report. Nevertheless, at least it set us on our way, in that we could begin to determine targets properly.

The deputy First Minister and I have had several meetings with officials and ministerial colleagues on the whole issue of poverty, and we have identified four different methods to measure poverty. In my view, the one that is the most accurate is the absolute measurement, and, on that basis, we are meeting our targets.

Relative indicators require us to consider how we compare with other parts of Europe, so we will be able to provide the Committee with a full range of measurements, using different measuring techniques. However, measurements indicate that Northern Ireland is making progress beyond that which it did in the past. Nevertheless, we still lag behind other parts of Europe, and we all know, especially in these difficult times of an economic recession, that the greatest pressures fall on those who are less well off. Therefore, it is more difficult to meet the targets, and a greater onus is placed on us to ensure that we put in place the necessary steps to enable us to meet them.

**Mrs Long:** In recent weeks, a number of Ministers have indicated that some of the issues that they bring to the Executive in line with the Programme for Government are being held up there. Indeed, there is some frustration that some issues are not being brought to the Executive table from the First Minister's office. In broad-brush terms, and using his own red/amber/green scales, how does the First Minister rate the performance of the Executive and his office?

**The First Minister:** I use red, white and blue ones.

We all need to be honest about the general issues at stake. When the Member for East Belfast and her colleague the Committee Chairperson came to see the deputy First Minister and me last week, I said that if the deputy First Minister were left on his own in OFMDFM, decisions would be taken much quicker, and if I were left on my own, decisions would be taken much quicker. However, our system of government requires us to go through a process of getting agreement so that we have the highest level of agreement possible on a range of issues. We must face up to the fact that the system is slow, and that is why some of us want to see the system modified and improved.

Bearing in mind the difficult terrain in which we must work, the Office of the First Minister and deputy First Minister is performing very well and getting things done — much better certainly than its predecessor, where a series of collapses and huffs took place. At least we are doing the business, slow though it may be at times. The more that we deal with issues that present a win-win situation for all sections of our community, the faster those issues will make progress.

## **Climate Change: Sustainable Development Strategy**

2. **Mr Cobain** asked the Office of the First Minister and deputy First Minister what its position is on climate change in relation to its sustainable development strategy. (AQO 2952/09)

**The First Minister:** Our position on climate change is consistent with that set out in the Programme for



Government, which acknowledges that climate change is a most serious problem.

As Members of the Executive, we remain determined to play our part in addressing the challenges that climate change presents, whether they be environmental, social or economic.

Day and daily, Departments across Northern Ireland are progressing plans and strategies that will ultimately contribute to a reduction in greenhouse-gas emissions and combat the worst effects of climate change. For example, the Department of Agriculture and Rural Development has identified sustainability as a key factor in developing its new rural White Paper; the Department for Regional Development is working on initiatives that support sustainable transport; and the Department of Enterprise, Trade and Investment is leading in the area of renewable energy. Those actions will have telling and lasting effects.

As Ministers of the Department with responsibility for sustainable development policy, the deputy First Minister and I face the challenge of mobilising all those plans and strategies to achieve the maximum effect, and our new sustainable development strategy and, importantly, the associated implementation plan, will have a leading role to play. We intend to produce a high-level strategy to enable and support those Departments whose work supports the fight against climate change. The implementation plan will express, clearly and accountably, the way in which that will be done, after we have listened to the views of stakeholders.

**Mr Cobain:** The First Minister, through his reply, has answered most of my supplementary question. The purpose of the current development strategy is to mainstream the policies into each Department. Will the First Minister reassure the House that that is actually the case?

**The First Minister:** I assure the Member of that. Although the deputy First Minister and I play a co-ordinating role, much of the action on the ground will be taken by Ministers and their Departments. It is hard to think of any Department that will not make some contribution, and although I have mentioned three, I could easily have mentioned others. Each Minister recognises his or her responsibility in relation to climate change. It is a key issue and target in our Programme for Government. Therefore, it is our responsibility to take it forward.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle agus a Aire. Does the Minister believe that the Environment Minister's position on climate change is sustainable?

**The First Minister:** Everyone knows that the Environment Minister does not deny that climate change exists; indeed, he argues that it has been happening for centuries. The Environment Minister

feels that climate change is not solely due to the man-made contribution, and it is hard to argue with that viewpoint.

When one examines where the greatest burden lies, the statistics and the expert views indicate that man has made a very significant contribution to climate change. However, the causes of climate change and what might be contributing to it are academic. If it exists, we must deal with it, and we require policies to do so.

**Mr Gallagher:** Does the First Minister agree that the climate change strategy, like any strategy, must be underpinned by clear targets? Furthermore, given our tremendous renewable energy resources, does he agree that we should adopt the EU target of sourcing 15% of our energy from renewable sources by 2020?

**The First Minister:** In joint ministerial council meetings, the deputy First Minister and I have had discussions with the other devolved Ministers and the UK Government about targets. We have made it clear that Northern Ireland will contribute to the overall UK targets.

A position often adopted by people here is that Northern Ireland is such a small area of land in comparison to countries such as China, India or the USA, and that we cannot make a great difference. However, climate change is one area in which every part of the world must make a contribution; Northern Ireland no less so than any others.

One of the areas that we can examine in relation to sustainability is energy. In my previous post as Minister of Finance, I very keenly examined all of the renewable energy possibilities, and we can make a very real contribution in that area.

However, I am reluctant to get down to what part of the UK target should be met by Northern Ireland. We have committed to making our contribution, and we will make the fullest possible contribution, whether that is below or beyond the target set by the EU.

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## Racial Equality Strategy

3. **Ms Lo** asked the Office of the First Minister and deputy First Minister, in the absence of the cohesion, sharing and integration strategy, if it would consider

reviving the racial equality strategy to require Departments to produce annual action plans to tackle racism and racial discrimination. (AQO 2953/09)

**The First Minister:** The Office of the First Minister and deputy First Minister remains committed to the implementation of the current racial equality strategy endorsed by the Assembly on 3 July 2007. We certainly consider that the six shared aims of that strategy remain comprehensive and robust, especially given the increasing diversity of the population in recent years. Practical work to improve racial equality and good relations continues to be done as part of the racial equality strategy. For example, the migrant workers thematic subgroup continues to operate, and its work has been widely welcomed, including the migrant workers strategy and action plan.

While work to fulfil the commitments in the first action plan to implement the racial equality strategy continues, our resources are now focused on developing proposals for the programme for cohesion, sharing and integration. Those proposals will include actions to tackle racism and sectarianism. While work to finalise the programme for cohesion, sharing and integration progresses, the work of challenging sectarianism, racism and all forms of intolerance continues with the active support of OFMDFM Ministers. That support has been clearly demonstrated since the restoration of devolution in May 2007.

2.45 pm

As the Member will be aware, the very first event that the former First Minister and the deputy First Minister hosted was a reception here in Parliament Buildings for new and existing minority ethnic communities, migrant workers, and those who work closely with them. We recognise that real change takes place on the ground through local people providing local solutions to local issues. We acknowledge the valuable and vital role played by groups working with ethnic communities on the ground. In recognition of that, we have recently announced a further tranche of funding to support work with minority ethnic people and communities in the financial year 2009-2010.

This year, we have increased the amount of money available in the fund by 10%, to over £1 million, to meet the increasing demand. That is on top of a substantial increase last year following devolution. The aims of the funds align with our Programme for Government commitments by supporting work that contributes to the promotion of good relations between people of different ethnic backgrounds, the building of community cohesion, and the facilitation of integration.

**Ms Lo:** I thank the First Minister for his comprehensive answer. Although ethnic minority communities are very appreciative of the increased funding for their work, they are anxious that work

needs to be carried out in Departments, something that has not happened in the past two years. Will the First Minister outline what work has been done by OFMDFM and other Departments on promoting racial equality and addressing racial discrimination?

**The First Minister:** The role that the deputy First Minister and I have in that area requires us to meet a number of organisations that work with migrant workers and minority ethnic communities. We encourage that work in our speeches and statements, to indicate that they have our support and that they continue to do so. We encourage it through the funding that we give to those organisations that are best placed, on the ground, to make the change that is necessary.

There are a number of schemes in place, some of which, for instance, take people from our indigenous population to other parts of the world, such as the site of the Holocaust, so that they can have a better understanding of the migrant workers who come into Northern Ireland. All of that helps, but the overall programme for cohesion, sharing and integration will identify the actions that need to be taken. Considerable work is going into that, not just on sectarianism, which is our own, home-grown problem, but on racism and the difficulties with the integration of minority communities.

**Mr Shannon:** I thank the First Minister for his detailed, factual and helpful response. Obviously, to try to tackle racism and racial discrimination, it is important that there be a possibility, and that we are hopeful, of meeting the targets. Can the First Minister confirm that the targets are still in place, and that achievements on cohesion, sharing and integration can be made?

**The First Minister:** I shall tie that question with the question about the measurement of targets. In such an area, on-the-ground contacts and communications are critical. Although it is important to measure the work that is done, to use a rural expression, you do not fatten a pig by weighing it. The system can have all sorts of measurements, but it is the real groundwork that can make the difference. Of course there are targets, and the amount of reported difficulties has reduced.

The exception was the considerable blip that took place as a result of the Northern Ireland v Poland football game. Some Polish football supporters, who have a worldwide reputation for their behaviour, left behind a trail that led to innocent Polish people having various hate crimes committed against them. The Executive want to be identified as being opposed to all those who might be involved in that kind of activity, especially when it targets a section of our community that has made a great contribution to the Northern Ireland economy and to the community as a whole.

Apart from that blip, the number of hate crimes had been reducing considerably. None of us should be

complacent and write off the fact that one incident can cause considerable difficulties. We, as Assembly Members, are required to be actively working on the ground in our constituencies to give support to those who have been facing any such difficulties.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. In light of the recent, quite horrific, attacks in Coleraine, what steps are being taken by the Office of the First Minister and deputy First Minister to tackle sectarianism in Coleraine?

**The First Minister:** First, I condemn those attacks. We should not consider that Coleraine is somehow different from the rest of the Province and that Coleraine is the problem point. There is underlying sectarianism across our community, and it emanates from all sides of the community. Therefore, it must be tackled in a comprehensive and robust way.

Immediately after the attack in Coleraine, the deputy First Minister and I met the police to discuss the investigation. Often, the best way of tackling such issues is to ensure that prosecutions take place and to ensure that the courts, using due process, can deal with the incidents concerned. We also sent a message to the community relations unit, which was fairly quick off the mark without any prodding — for want of a better word — from OFMDFM. The lasting contribution that OFMDFM can make on such matters is to get our cohesion, sharing and integration strategy through the Assembly and to have it in place so that the action plan can be used to work to eliminate sectarianism.

### Presbyterian Mutual Society

4. **Mr Kennedy** asked the Office of the First Minister and deputy First Minister for an update on any discussions it has had with the Prime Minister and HM Treasury on the Presbyterian Mutual Society.  
(AQO 2954/09)

**The First Minister:** Every Member will be acutely aware of the difficulties that members of the Presbyterian Mutual Society (PMS) face. When the deputy First Minister and I met the Prime Minister on 25 February 2009, we took the opportunity to register our concerns about the PMS situation. After the Prime Minister received the report on the PMS, he agreed to a further meeting with us to specifically discuss the matter. That meeting will take place on 17 June. We have also been in contact with the Secretary of State on the matter. Furthermore, on 29 April 2009, my colleagues Nigel Dodds and Arlene Foster met the then Chief Secretary to the Treasury, Yvette Cooper, to discuss the PMS issue.

That constructive meeting entailed an exchange of views, as well as information about the particulars of the PMS situation. Members of the society have been living with uncertainty as to the state of their savings

for some considerable time. The administrator who is appointed to wind up the society's affairs has indicated that it would be helpful to know whether the Government are prepared to offer assistance.

For those reasons, we are keen that when we meet the Prime Minister later this week, we can leave with some firm decisions as to his Government's intentions. The ambiguity of the current situation is harmful and hurtful, not only to members of the Presbyterian Mutual Society but to the wider community.

**Mr Kennedy:** I am grateful to the First Minister for his reply. I declare an interest; I have a modest sum of money in the Presbyterian Mutual Society. I welcome the fact that First Minister has indicated the cross-party and cross-community nature of this issue. All Assembly Members are aware of the acute and severe financial hardship that a great many find themselves in through no fault of their own.

Does the First Minister agree that when Gordon Brown tells the House of Commons that no UK saver will lose out as a result of the current banking crisis, that guarantee should extend not only to members and savers of the Dunfermline Building Society but to those of the Presbyterian Mutual Society?

**The First Minister:** As a general principle, we can all support that. He will be aware that the Government make a distinction between savers and investors. The Prime Minister has been quick to point out, as was the Secretary of State, that Presbyterian Mutual Society depositors were investors, rather than savers. I do not accept that distinction. It was not in the mind of anyone who deposited funds in the Presbyterian Mutual Society that they were speculating, hoping to make a quick pound. They were, in every sense, savers. If the Secretary of State can tell the House of Commons, as he did on 3 June, that bureaucracy should not stand in the way of doing the right thing, we would all judge him severely were he to make semantics an obstacle to progress.

I trust that the Prime Minister will recognise the genuine determination on the part of those who deposited funds in the PMS that they are on a level playing field with savers in the Equitable Life Assurance Society, the Dunfermline Building Society and the third mutual society that was reported to be in difficulty at the weekend. For those reasons, the Government need to assist the PMS. We will make that case.

We recognise that it would be altogether better, from the point of view of the depositors, were a bank to take an interest in the PMS and, therefore, cover it by the guarantees that are available to banks. That is outside our control, although the Government, who have a stake in several banks, might like to encourage people to look at that option.



**Mr Durkan:** I assure the First Minister and the deputy First Minister that they go into that meeting with the encouragement and endorsement of all Members.

The First Minister rightly picks up on the false distinction that the Government make between investors and savers. As he says, those who saved in the Presbyterian Mutual Society thought of themselves as savers. The Government cannot have it both ways. They cannot, on the one hand, cite Financial Services Authority concerns that money was being taken in the form of deposits, because that is essentially the business of banking, and, on the other hand, indict the savers as though they were investors.

**Mr Deputy Speaker:** You must ask a question.

**Mr Durkan:** Will the First Minister make it clear that several charities are among those who have invested over the shareholder limit? The Government's suggestion that they are speculative investors is downright insulting.

**The First Minister:** We are happy to do that. I appreciate the Member's comment that there is overall support around the House for the case that we will take to the Prime Minister.

Unfortunately, those who invested more than £20,000 with the Presbyterian Mutual Society are regarded as having provided it with a loan and, therefore, have first call on any funds that become available. That means that people who made investments of less than £20,000 will be hurt most. I do not know the category into which the Member for Newry and Armagh falls. It means that many people who had put away a nest egg will be unlikely to get more than 30 pence in the pound for their savings. That is regrettable. That is the area into which the Prime Minister must look most closely.

3.00 pm

## AGRICULTURE AND RURAL DEVELOPMENT

### Rural White Paper

1. **Mr Neeson** asked the Minister of Agriculture and Rural Development when the rural White Paper will be completed. (AQO 2971/09)

17. **Mr McCarthy** asked the Minister of Agriculture and Rural Development for an update on the rural White Paper. (AQO 2987/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** With your permission,

a LeasCheann Comhairle, I will answer question No 1 and question No 17 together.

I am pleased to report that progress continues on developing the rural White Paper. During coming weeks, I will submit proposals for a thematic approach to the Executive. The rural White Paper stakeholder advisory group has commenced work in subgroup format on the five themes that have been identified in proposals for a thematic approach to the rural White Paper's development. That work includes looking at issues and challenges that rural communities face and identifying new approaches to address those challenges.

It is anticipated that that work will be completed by late autumn 2009, following which the five subgroups will report to the Department on the outcome of their work. The Department has discussed its proposals for the rural White Paper with the interdepartmental committee on rural policy and seeks nominations from other Departments of appropriate officials to participate in the rural White Paper's development.

It is proposed that other Departments will begin to engage with stakeholders during the subgroup stage. The Department has also considered options for the establishment of an effective rural evidence base as part of the rural champion concept and is commissioning papers to help to inform the rural White Paper. It is proposed that the main work to develop the rural White Paper will take place during 2009 and into 2010, with public consultation on the draft document in 2010. That time frame will tie in with the development of the new comprehensive spending review.

**Mr Neeson:** I thank the Minister for her reply. She was probably not in the Chamber when the First Minister referred to the role that agriculture can play in mitigating climate change through renewable energy initiatives. Will the Minister include firm proposals to expand green energy in the rural White Paper? Can she assure the House that she will make that a priority?

**The Minister of Agriculture and Rural Development:** If the Member will allow me some latitude, I am happy to return to that matter when I answer environmental questions later. Climate change mitigation does not necessarily fit into the main role of the rural White Paper. The paper aims at ensuring that rural dwellers' entitlement to goods and services is equal to that of urban dwellers and not merely a tick-box exercise at the end of the policymaking process.

I agree with the First Minister that agriculture has a role to play in mitigating climate change. I am happy to respond to the Member in writing on that issue.

**Mr McCarthy:** Go raibh maith agat, a LeasCheann Comhairle. *[Interruption.]* Can the Minister tell the House what priorities for rural infrastructure she will include in the rural White Paper? That is, if she heard my question over the interruption by certain Members

### **The Minister of Agriculture and Rural**

**Development:** The rural White Paper represents a wide range of rural interests and sets out five themes, which are being considered in subgroup format. I will come back to the Executive with further detail on the work on the five themes. I am happy to provide the Member with more details in writing if that is OK.

**Mr McCarthy:** Go raibh maith agat.

### **The Minister of Agriculture and Rural**

**Development:** Ná habair é.

**Mr T Clarke:** To date, how much has been spent on producing the rural White Paper? Does the Minister believe that it represents value for money?

### **The Minister of Agriculture and Rural**

**Development:** I certainly do believe that the rural White Paper represents value for money; I would not have brought it forward otherwise. The fact that the North was without a rural White Paper when the rest of Ireland had one, as did England, Scotland and Wales, shows that there is merit in having one.

We must ensure that rural dwellers are not left out during policy formulation. As I said, the development of the proposals on the rural White Paper will take place throughout 2009, and we will produce a more detailed paper in 2010. That fits in with the comprehensive spending review. It is worth spending the money to ensure that rural dwellers are not left behind, and it fits in with the departmental budget. Members will be glad when the rural White Paper is developed, and I am happy to receive input from Members.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Maith thú, a Chiaráin. Caithfidh mé é sin a rá. The SDLP is a long-term proponent of the rural White Paper. The Minister mentioned that she will engage with stakeholders during 2009-2010 and hold further widespread public consultation thereafter. Does the Minister have any indication of when the public consultation will be complete and, more importantly, when we might be at the point of having a rural White Paper? Does she have a deadline or specific date in mind?

### **The Minister of Agriculture and Rural**

**Development:** Much work has already been done with stakeholders, and I am pleased that some rural organisations have held conferences to discuss the rural White Paper. For empowerment purposes, the rural community needs to say what it wants to see in there. The rural White Paper stakeholder advisory group represents a broad range of issues, such as agriculture interests, which are represented by the Ulster Farmers' Union, the Young Farmers Clubs and NIAPA. It also represents environmental groups and broader rural organisations such as the Rural Development Council and the Rural Community Network.

The Department is formulating a big piece of policy work, the bones of which I will take to the Executive in the next few weeks. Much work has already been done. As I have said in the House, a job that is worth doing is worth doing right. I want to get it right, and I expect firm proposals to come through this year and be published in 2010. You will see a rural White Paper in the next 12 months or thereabouts.

**Mr Deputy Speaker:** Mr Danny Kennedy.

[*Interruption.*]

**Mr Kennedy:** Perseverance and a bad back pay-off, apparently. Anyway, will the Minister inform the House whether the rural White Paper will attempt to improve co-operation between the farming community and the wider rural community?

### **The Minister of Agriculture and Rural**

**Development:** That is not necessarily the job of the rural White Paper. It aims to improve co-operation between the Department of Agriculture and Rural Development and other Departments. We need to ensure that, when other Departments formulate policy, they consider the 40% of the population who live in rural areas. It is about governmental acceptance of the needs of the rural community. Every Department plays a part; whether it is health, education or roads, every Department has an obligation to meet the needs of rural dwellers. The rural White Paper will ensure that we are not left behind during the formulation of those policies.

## **Rural Childcare**

2. **Ms S Ramsey** asked the Minister of Agriculture and Rural Development what progress has been made on the rural childcare strategy and what impact it will have. (AQO 2972/09)

### **The Minister of Agriculture and Rural**

**Development:** Shortly after I took office, I initiated the rural childcare stakeholder group and was pleased to present its report 'Rural Childcare: Investing in the Future' to the ministerial subcommittee on children and young people in March 2008. The report contains several cross-cutting recommendations and recommends that DARD develop a rural childcare programme. My officials are working with other Departments on the cross-cutting recommendations for rural childcare as part of the development of the rural champion concept and the rural White Paper.

I am delighted that the rural childcare programme has recently opened for applications and will be funded by the Department's rural anti-poverty and social inclusion framework budget. I formally launched the programme on Tuesday 9 June during a visit to the childcare centre in Eskragh, County Tyrone, which is an excellent example of a rural community working together for the good of the entire community.

The programme is worth £1.5 million, and its overall objective is to improve childcare provision in rural areas by providing solutions that address the distinct challenges faced by rural communities in relation to the delivery of and access to childcare services. Through that programme, we will provide funding to support the development and evaluation of a series of pilot or demonstration projects. The evidence that is collected will form a basis for the development of future policy and priorities for rural childcare provision. By improving information about rural childcare provision, the programme has the potential to help bring about great improvements in the lives of women and children who live in rural areas, to support families and to contribute to the economic and social development of rural areas in the North.

I am, therefore, confident that that new and innovative programme will make a significant contribution to a better future for rural communities. It will lead to increased opportunities and choices for rural parents in taking up employment or training and will assist rural development. The rural childcare programme and the rural childcare stakeholder report complement other Executive initiatives such as the lifetime opportunities strategy and the work being carried out by the ministerial subcommittee on children and young people. It will also inform the development of the early years strategy for nought-to-six-year-olds.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her comprehensive answer. *[Interruption.]* If the children in the corner settle down, they will get to hear my supplementary question. Basil is the leader of those children.

It is important to recognise, as I did during questions to the First Minister and the deputy First Minister, the Minister of Agriculture and Rural Development's response and approach to the issue of rural childcare. That is one of the benefits of devolution. Will the Minister outline the timetable for the rolling-out of the rural childcare programme?

#### **The Minister of Agriculture and Rural**

**Development:** The rural childcare programme is now open to applications. The closing date for receipt of applications is 30 June. Following eligibility checks, appraisals and project site visits, it is anticipated that assessment panels will sit in September and that letters of offer will be issued in October and November. All successful projects must be completed by 31 March 2011. I am pleased to say that we have had more than 130 applications to date. There is a lot of interest in the programme and a lot of need. I do not know whether it will cover the weans in the corner, but you never know.

**Mr Beggs:** I am aware that, in the past, some rural playgroups were almost forced to close because numbers temporarily dropped, but within two years they were

operating at capacity again. Will the Minister ensure that the funding mechanism will not be a case of "all or nothing" and that it will be responsive? Furthermore, will she tell the House what sort of money will be available to individual groups that apply to the rural childcare programme?

#### **The Minister of Agriculture and Rural**

**Development:** The programme is an ongoing venture. Mr Beggs is asking about something that comes under the remit of another Department. However, the money that is available now is for pilot and demonstration projects. The commitment to those projects is not necessarily ongoing, but it will help them to get off the ground. The rural childcare programme's overall budget is £1.5 million, and there may be flexibility in it. I do not have detailed information on any cap on those projects, but I will be happy to provide that to the Member in writing. It is important that we help those groups to get off the ground. Families from rural communities will benefit from the programme.

The West Tyrone MLAs who are here will know that the Eskragh childcare centre is a fantastic example of such programmes. I was invited there by Barry McElduff. There is not even a housing estate in Eskragh, yet 120 children attend the childcare centre every day of the week. That is an enormous achievement for a rural community. The parents in that community have far greater choice than is available to parents in many other areas that do not have similar programmes.

**Mrs M Bradley:** I warmly welcome the new rural childcare programme. However, what assurances can the Minister give that no child will be denied such a service because of a lack of affordability?

#### **The Minister of Agriculture and Rural**

**Development:** Unfortunately, I cannot give the Member that assurance. I am doing my bit to help strengthen choices for parents who live in rural areas. I am one of the Ministers who sit on the ministerial subcommittee on children and young people, and I always make the case for rural communities. The responsibility for childcare is shared by a number of Departments, such as the Department for Social Development; therefore, the responsibility is not mine alone.

3.15 pm

### **Food Exports**

3. **Mr B McCrea** asked the Minister of Agriculture and Rural Development what discussions she had with her ministerial colleagues before she called for the removal of UK status on food exported from Northern Ireland. (AQO 2973/09)

**Mr B McCrea:** La question numéro trois, Monsieur le Président.



**The Minister of Agriculture and Rural**

**Development:** I am very impressed at the bilingualism in the Chamber today; it is brilliant.

I have discussed the issue with ministerial colleagues in my party. However, there is no obligation on me to discuss it with other Ministers in order that I may express my view. Farmers have raised the issue with me regularly at a range of meetings and forums.

So far, we have made excellent progress in keeping out of Ireland serious diseases that have occurred in Britain, for example, foot-and-mouth disease and bluetongue. Through our fortress Ireland policy, I intend to do my utmost to ensure that that remains the case. In that context, our animals having a UK identity can be a disadvantage to our farmers whenever they are transporting animals abroad, and a clearer local identity can assist in ensuring that our animals are identified clearly with the better disease status of the island of their birth. We need to maximise the potential of selling our produce on the world stage by having a clear clean, green label that associates our produce with a positive and disease-free status.

In accordance with the country codes laid down by the International Organization for Standardization, under Council Regulations (EC) 1760/2000 and 21/2004, the identification code on cattle and sheep ear tags must begin with the letters that identify the member state of origin. However, the concept of regionalisation is well established and is accepted by the EU Commission. I intend to press a case for regionalisation on this issue. Obviously, Members on the opposite Benches are likely to have an ideological objection to that. However, I ask them to think carefully about the issue and not to have a knee-jerk reaction to it. I also ask them to consider the potential benefits and the reality that our industry could capitalise on our recent record of better disease levels.

**Mr B McCrea:** In a global market, food, or its consumption, is one of the few commodities whose locale concerns the consumer. In the agriculture business — the agribusiness — what percentage of our food goes to the United Kingdom, and how much goes to other areas? Is it not the case that the United Kingdom is our biggest single market and, therefore, our most important market? Have there not been cases, such as that of dioxins in pork, when it was an advantage to be part of the United Kingdom and not of another country?

**The Minister of Agriculture and Rural**

**Development:** The market across the water is our biggest market; 80% of our produce is exported to Britain. That is no coincidence. For years, a beef ban did not allow us to market our produce to other countries. We are still dealing with the residue of that

beef ban, which came out of the BSE crisis. Again, the UK is linked strongly to that.

We must also deal with the new markets that are emerging. People are moving out of rural areas in China and India, which are countries with vast populations, into urban settings. They are becoming more Westernised, and they are eating more beef. There is no reason why we could not look to those markets for a premium price. Ultimately, this is about adding value and getting a better outcome for our farmers. They work very hard to produce quality products, and I want to work equally hard to get them the best price that I can for those quality products. We will market ourselves better if we can, and we will do everything that is in our power to ensure that farmers get a better price for their labour.

**Mr Irwin:** Does the Minister accept that the key stakeholders of the agrifood industry believe that the UK food status is to the benefit of Northern Ireland, given that, as the honourable Member for Lagan Valley said, much of our food is exported to the UK mainland? That being the case, I believe that the Minister is foolish. How can she justify a removal of UK status, given that 80% of our food is exported to the mainland?

**The Minister of Agriculture and Rural**

**Development:** As I said, we are a net exporter. We have a substantial amount of trade with British multiples and their own-label brands, and, in that environment, it is not easy for us to promote our own identity.

It is in the best interests of the North's beef industry for it to determine how best to position its products in the markets that it serves. I will continue to support industry in that respect so that it can achieve the greatest returns possible. Research into the image of the North's food and drink in international markets was recently overseen by an international image group consisting of experienced representatives from export businesses in the North. That group felt that, in order to gain the optimum advantage from its unique position, the North's agrifood industry should utilise all options at its disposal and, depending on the market and the customer, should market itself as NI, island of Ireland or UK. That is the view of the experts.

We are fortunate that our products are sold in a wide range of markets and, that being the case, branding is tailored for specific markets in a manner that optimises the benefit of the North's multiple identities. In the current economic climate, it is particularly important that our local businesses have the capacity to market their products in such a way that ensures that they have access to premium markets.

When I represented the North in Washington two years ago, I met representatives of companies such as Tayto crisps and Johnsons Coffee, who said that they

had developed markets in America by doing just that. No company should be foolish enough to close itself down to the possibility of other markets due to the way that it markets itself. There is much to be gained from such marketing; I am told that by industry, and I am also told that I need to do all that I can to maximise that gain.

**Mr O'Loan:** My party has been concerned about the UK identification tag on our cattle for a long time. We have seen that as a barrier to marketing, particularly in instances of crises, such as the export ban on beef and the outbreak of foot-and-mouth disease. Evidently, the Minister sees the advantage to the dairy and beef industries of having Irish or local identity. What is she doing to bring that about?

**The Minister of Agriculture and Rural Development:** I have been working on regionalisation since I came into office, and my track record speaks for itself. The UK prefix did work against us, especially during the years of the beef ban. That ban was in force when the SDLP held the post of Agriculture Minister, and nothing was done about that issue.

I ensure that we do everything that we can to move our products and get a better price for them. Across the water, they have diseased status due to bluetongue. However, in case anyone would think that I am picking on it, that is not only the case across the water; bluetongue is endemic across Europe. This is the only country in Europe that does not have a problem with bluetongue. If we cannot capitalise on that now, when will we be able to?

### Rural Development Programme: Axis 3

4. **Mr Cobain** asked the Minister of Agriculture and Rural Development for her assessment of the delay involving her Department and the axis 3 council clusters in agreeing a scoring mechanism. (AQO 2974/09)

**The Minister of Agriculture and Rural Development:** I am not sure whether Fred asked question 4 or a supplementary question. I did not hear it in Irish, so I do not know which he was asking. *[Laughter.]*

The axis 3 council clusters have no involvement in developing the project assessments scoring mark frame; that responsibility falls to my Department, as the managing authority. It was agreed by the programme monitoring committee that the mark frame developed by my officials should be reviewed by the monitoring committee equality subgroup to ensure that a fair and equitable scoring mechanism is developed to assess all applications to the programme, be they from farmers, private promoters or the social economy and community sectors.

I am pleased to confirm that the scoring mechanism has been agreed with the equality subgroup and has been issued to all joint committees and local action groups. Last week, the local action group GROW, which covers Antrim, Carrickfergus and Newtownabbey, used a scoring framework for the first assessment panel for projects. It successfully scored nine projects and approved five, worth just over £200,000, to go forward to their full local action group board. I commend that group on its progress. At least two further areas will hold assessment panels over the next couple of weeks.

Members will agree that it is vital that the scoring mechanism reflects all the relevant equality issues and still enables strong and sustainable projects to benefit from the programme funds. It is only by ensuring that that we will reap the benefits of a good, strong and sustainable rural community. The review of the projects scoring mark framework has continued unabated in the areas that have opened for calls. Project staff are carrying out eligibility checks and site visits on the applications, in preparation for their assessment by the local action groups.

**Mr Cobain:** I am glad that the Minister answered both the question and my supplementary.

**Mr I McCrea:** I welcome the fact that the Minister has reached the stage where the information is being passed to the local action groups. Does she accept that it has taken too long to get that information agreed and passed to the groups; that rural areas for which axis 3 is designed have suffered because a decision was not made until today; and that there will be no more delays?

**The Minister of Agriculture and Rural Development:** I can assure the Member that a new delivery model for axis 3 affords councils a greater and more central role in delivering rural development measures. Their involvement in delivering that will provide good training in preparation for the greater responsibility of councils for rural development delivery under the new RPA. However, the spend is now getting on the ground, letters are going out, and I can assure the Member that there will be no further delays.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. What assistance is available under axis 3 for renewable energy projects?

**The Minister of Agriculture and Rural Development:** A number of areas are helping us to support renewable energy. In addition, my Department is reviewing its renewable energy strategy, the outcome of which will inform the axis 3 position on stand-alone energy projects. In the interim, the Department is working to promote the use of renewable energy and energy efficiency through our renewable energy action plan. Key actions include support for profitable energy production; supply chain development; forestry products and by-products; use of agriwaste for energy; deployment



of renewable energy technologies in the wider economy; and energy efficiency. CAFRE is also delivering technology transfer programmes on renewable energy. I have a very long supplementary, and I am conscious of time, so I am giving you just the bare bones.

### Rural Champion

5. **Mrs McGill** asked the Minister of Agriculture and Rural Development to outline her proposals for developing a 'rural champion' concept and improving the rural proofing process. (AQO 2975/09)

#### The Minister of Agriculture and Rural

**Development:** I am delighted to have the opportunity to update you on the rural champion concept and improving the rural-proofing process. I have finalised the programme in just the past two weeks and intend to present them to Executive colleagues as soon as I can.

In summary, the key proposals include a phased process for the invigoration of rural proofing; support for activities that assist the better co-ordination or facilitation of rural stakeholders; development of a framework for dialogue between all government Departments and rural stakeholders; and creation of a rural evidence base and rural research programme that can support policy and programme development.

Those proposals aim to deliver a collaborative, integrated approach to the development of policy across government, ensuring the full involvement of stakeholders and the robust application of rural proofing. The outcomes that we seek include equitable access to services by rural communities, an enhanced rural-proofing process and access to a supportive rural evidence base.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. My question was about rural proofing, and the Minister referred to that. However, the Minister referred earlier to all the Departments. Given the difficulties of rural planning, is the Minister content, in her deliberations with the Minister of the Environment, that those who want to live in rural areas will be able to do so?

#### The Minister of Agriculture and Rural

**Development:** I am a member of the interdepartmental subgroup on planning policy. In that capacity, I have made a strong case not just for farmers but for rural dwellers to be able to live in their own communities. I have also formed an interdepartmental committee on rural policy, which I chair, which will incorporate senior policymakers from each Department, including the Department of the Environment. That is another mechanism for getting that message across loud and clear.

**Mr Savage:** Will there be any legislative base for rural proofing?

#### The Minister of Agriculture and Rural

**Development:** The rural White Paper will help to firm that up. In the past, we have seen almost a voluntary option for rural proofing. That has not worked. I am trying to ensure that rural communities can be sure that consideration of rural matters has moved on from a tick-box exercise. Therefore, if legislative proposals are needed, I will be happy to take them through.

**Mr P J Bradley:** Does the Minister agree that the introduction of an improved transportation service to and from rural schools would be an important inclusion in the rural White Paper?

3.30 pm

#### The Minister of Agriculture and Rural

**Development:** Rural transport, particularly for children, is one of the issues that I raised at the meeting of the ministerial subgroup on children and young people. Everyone wants our roads to be safe, especially given the tragedy that happened in Fermanagh in the latter part of 2008.

Children who have to walk considerable distances on narrow roads that have a lot of traffic but no footpaths or street lighting must be safe. A rural transport policy would help to bring that about. These things do not come cheap, but it is worth spending money on them.

## EXECUTIVE COMMITTEE BUSINESS

### Supply Resolution for the 2009-2010 Main Estimates

#### *Debate resumed on motion:*

That this Assembly approves that a sum, not exceeding £7,566,927,000, be granted out of the Consolidated Fund, for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 and that resources, not exceeding £8,311,830,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 as summarised for each Department or other public body in columns 3 (b) and 3 (a) of table 1.3 in the volume of the Northern Ireland Estimates 2009-10 that was laid before the Assembly on 29 May 2009. — *[The Minister of Enterprise, Trade and Investment.]*

#### **The Chairperson of the Committee for Health, Social Services and Public Safety (Mrs I Robinson):**

The Supply resolution debate is an opportunity to highlight some of the budgetary challenges that face each Department in the current financial year. I should like to mention some of the financial issues that face the Health Department.

The Department's major challenge is undoubtedly the achievement of the 3% efficiency savings. The Department receives around half of the total block grant and, therefore, has to achieve half of the total efficiency savings. The Minister has given an assurance that he will meet those targets, but the challenge is to do that without affecting front line services. The Minister stated that he achieved the £118 million efficiency savings target in 2008-09. However, given that a total of £700 million of efficiencies must be achieved over the three-year period, there is clearly some way still to go.

There have been major public concerns about home closures and cuts in nursing numbers. A reduction of some 722 nurses is proposed over the three-year period. There was a debate on that issue in the Chamber in February. We called on the Minister to ensure that front line services are not affected.

At that stage, I pointed out that the proposals would result in an estimated total reduction of approximately 2,475 Health Service jobs over the three-year period. That takes account both of efficiencies and any additional investments. In light of the worrying estimate that there will be a reduction of 722 nurses and midwives, I made the point that one cannot remove that many nursing and midwifery posts

without directly and detrimentally affecting front line services.

The Committee has played its part by highlighting the challenges, listening to the arguments and pressing the Minister to protect vital services. The Committee heard from the Minister and from each of the trusts about specific plans and proposals. It heard from the unions that represent employees who are directly affected by cuts. Indeed, in recent days, the unions have asked to meet the Committee again about the efficiency plans.

Trust proposals to achieve 3% savings have been the subject of public consultation. The Committee also heard from district councils and local groups that are concerned about specific services in their areas. The new health and social care structures that came into place in April have led to a rationalisation of bodies and a slimmer and more accountable service through a reduction in the number of public bodies and in bureaucracy and administrative costs. That is welcome, and it will make a significant contribution to achieving the efficiency savings target. However, it still leaves a major gap, and we must continue to ensure that the measures that are implemented do not cut patient services.

The outbreak of swine flu will place an additional burden on finances. Earlier today, the Minister highlighted the need for additional funding to deal with the pandemic. Detailed plans have been developed in recent years to deal with such an event, and those are now being put into practice. It is difficult to predict the impact of swine flu at this stage, but considerable expenditure has already been predicted on antiviral drugs, vaccines and so on. If large numbers of cases are experienced, there will be additional costs for trusts and additional pressures on hospital and community services.

Capital funding is another big issue for the Health Department, despite an investment of almost £700 million over the three-year period. The construction industry group told the Health Committee that more projects should be funded to provide improved health facilities and, indeed, to bring some facilities that are in dire need of repair up to minimum standards while providing much-needed employment.

There have been many calls for capital funding to bring forward the proposed new women and children's hospital in Belfast. That scheme is long delayed, and replacement is needed urgently. Unfortunately, the scheme has not yet been scheduled for funding. The Health Committee visited the existing hospitals and saw the poor state of the buildings and the crowded conditions at first hand. The Committee pressed the Minister to bring the project forward as soon as possible.

Although we accept that the financial climate is dire, in my capacity as the DUP's health spokesperson, I must ask the question: given all the money that is being pumped into the Health Department, why are Members still hearing the same old stories in their constituencies about the lack of front line services with respect to staff, trained nurses, special-needs nurses to deal with autism and other difficulties, and speech therapists? We have to ask whether our Minister is doing the right thing with the money in hand. It really concerns the public that the money does not seem to be improving the Health Service per se and that there seems to be a black hole.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak about the Supply resolution, which is the mechanism for ensuring that funding is released to continue the priorities set out in the Programme for Government. Members have an opportunity to debate the issues, but it is important to remember that if the motion is not passed, there will be no money for the associated programmes.

There is no doubt that the economic recession has presented the Executive with a number of difficulties, in particular the need to offset the rising number of job losses. It is also a major challenge to help families and businesses who are in economic difficulties. Sinn Féin Members have consistently pointed out in many debates in the Chamber and beyond that the block grant from the British Government is totally inadequate. In the context of that financial shortfall, and with no control over fiscal policy, we will continue to carry the burden of trying to match our limited resources with people's increasing needs. Today, I noticed that the Scottish Parliament is pushing ahead with tax-varying powers, and I hope that the Assembly and the Executive will come back to that debate.

The only way to sustain economic and social progress in the long term is on an all-island basis. It makes sense to end the duplication and inefficiencies that are being perpetuated by having two health services, two education services and two separate institutions governing separate parts of the island. Given the small population on the island, the Assembly and the Executive need to be debating that issue.

However, for today's debate, I turn to how families, communities and businesses have been affected by the economic recession, and whether we can examine the way in which the Executive deliver the investment strategy and Programme for Government to make a difference to the quality of their lives. Many low-income households, the elderly and the sick were finding it difficult to make ends meet prior to the recession, but many have now spiralled into even deeper poverty, particularly those living in deprived areas.

I want to touch on a number of initiatives that are sitting in Departments. The credit union legislation was debated in the Assembly and received cross-party support. Introducing that legislation would give credit unions the extra powers that they need. That would benefit not only the people who borrow from credit unions, but those who would be helped by the way in which the money would be invested. For instance, credit unions are keen on investing a large amount of money to meet the needs of social housing. The Assembly must, therefore, push forward on that.

The enhancement of debt-advisory services is another issue that must be progressed. There appears to be some blockage; although the motion was passed by the Assembly, nothing has happened. The Minister of Enterprise, Trade and Investment is present today, and I hope that she will push forward with that so that specialist debt advisers can be placed in the community to help people who face difficulties.

The legislation on dormant bank accounts has not yet been implemented. Such accounts contain millions of pounds that could be used for voluntary and community projects that face cuts. The money would facilitate the continued delivery of services, and the skills of those who deliver front line services could be retained in communities.

Several Government-funded initiatives have tried to help businesses, particularly small and medium-sized enterprises (SMEs), that face financial difficulties, and the Assembly has often debated the subject. A recent survey by the Institute of Directors highlights the widespread lack of awareness and minimal uptake of some of the Government-backed schemes. There is an onus on the Government, the Assembly and the Executive to ensure that businesses are aware of the schemes.

There are still problems with the banks, particularly for people who want to take out a new loan or an overdraft. It seems that certain problems persist despite Members continually discussing them in the Chamber. If the Assembly could push forward on tackling such issues, it would help some of the affected businesses.

I want to focus on the process of public procurement, which offers the Executive the opportunity to develop a policy that includes social and environmental clauses that would help people. The Governments, North and South, have an opportunity to maximise the social and employment opportunities of everyone through their public procurement processes. That forms an essential part of the investment strategy. It is more important than ever to grasp that opportunity because existing jobs must be secured and new ones created. Unemployment is rising, and the two main problems facing people at present are the fear of losing their jobs and of descending into debt and poverty. The Assembly must



do all that it can to secure existing jobs and to create new employment opportunities.

The Executive earmarked almost £20 billion for public procurement. The Assembly has debated the issue before, but I want to emphasise that, in an all-island context, most of the €16 billion spent on public procurement each year goes to companies overseas; local businesses are often smaller and cannot even get on to the procurement ladder. Ninety-nine per cent of businesses in the North are SMEs. Those in the social-economy sector that deliver front line services to communities also create employment opportunities for local people, including the long-term unemployed, and they provide the quality apprenticeships that are needed.

Some SMEs cannot even apply for public-procurement contracts. They fail at the tendering stage, which they feel is stacked against them and weighted firmly in favour of large companies, most of which are based overseas. That does not generate money in the economy; it is taken out of the island of Ireland. The money must be generated internally to create jobs for people here. Through public procurement and working closely with organisations such as InterTradeIreland, Invest NI, IDA Ireland and the enterprise councils, North and South, there is an excellent opportunity to encourage and develop SMEs on this island so that they can secure contracts.

Businesses in the North should have equal access to public procurement contracts in the South and vice versa. As it stands, there is no equality of access in the North or the South because the process is strongly weighted in favour of large companies.

3.45 pm

I reiterate that incorporating those social clauses into all public procurement contracts at the tendering stage enables delivery on the important issues of fairness, inclusion and equality of opportunity by actively and effectively challenging existing patterns of social and economic disadvantage. We must use increased prosperity in future to tackle ongoing poverty.

In conclusion, my party will continue to press for the full range of fiscal powers to be made available to the Executive and the Assembly. I hope that other parties will get behind that stance, because the powers are required to facilitate the delivery of high-quality public services, to develop the economy and to build prosperity. To that end, we will seek to ensure the best use and allocation of resources in the short term.

Sinn Féin shares everybody's concern about the overall resources that are available and the various stated priorities. However, we are tasked with meeting the challenge of achieving the best possible outcomes in the current economic climate. I return to what I said at the outset: some of us have different points of view that can be debated here, but it is essential that the

mechanism to release the money be approved. If it is not, organisations and groups will be unable to deliver essential services. Go raibh maith agat.

**The Chairperson of the Committee for Social Development (Mr Simpson):** I apologise for not being in the Chamber for the start of the debate, but I had to attend a Committee meeting.

As part of its review, the Committee for Social Development considered the Department's Main Estimates and compared them with figures and targets included in the 2008-2011 Budget.

A number of debates on social housing and the Department's budget deficit have been held in the House recently. I believe that all Members now accept that the social housing budget depended on substantial land and house sales. I also believe that most Members agree that when the property market declined, budgetary difficulties became inevitable.

On a number of occasions, the House has debated the Department's monitoring rounds, surrenders and reallocations, newbuild v off-the-shelf purchases, and related issues. I am sure that the House will again debate housing and the importance of balancing the housing budget with the delivery of PSA and other targets. Today, however, I am not focusing on those issues but am simply requesting further budgetary flexibility for social housing.

Members want the PSA target for new social homes to be achieved and to see progress made in bringing existing houses up to the decent homes standard. All of that will benefit the economy but will cost a great deal of money. Most Committee members accept that the Department's budget position is very difficult. Nonetheless, multiple benefits are associated with investment in construction and related industries. Therefore, the Committee is keen to put down a marker for social housing in the event that there is flexibility in future monitoring rounds.

The Committee also reviewed efficiency in the Department for Social Development and was pleased to hear the Department assert that the efficiency target of 3% a year for 2008-2011 will be met. It must be agreed that, when in a difficult budgetary position, efficiencies are essential. Notwithstanding that, the majority of Committee members was concerned about what was described as the driving of efficiency in the Supporting People programme.

Under that programme, services providers, such as the Simon Community, the Triangle Housing Association and Women's Aid, can already demonstrate that they are efficient and good value. Therefore, the Committee believes that additional funding for providers of the Supporting People programme in the voluntary and community sector to meet, for example, contractually agreed salary



increases should be made available in the current budget. I assure the House that, although that is a low-cost request, it will make a big difference to those organisations.

Let me assure the House that the Committee for Social Development will continue to review and scrutinise closely the Department's expenditure.

**Mr Burns:** I welcome the opportunity to have my say on the spending Estimates, and I am glad that the Assembly is debating the proper business of government. We are living in a difficult economic climate, so if ever there was a time for the Assembly and the Executive to get serious, this is it.

I shall say a few words about the Department for Social Development's budget for social housing. We could spend hours debating that subject, but my time is limited, so my remarks will be brief. I fear that I may repeat myself, because only last week, I spoke on this matter in the Chamber. Although the Minister of Finance and Personnel was not present to respond to that debate, I am sure that he carefully studied the Official Report and took all the key points on board.

Everyone knows that DSD's budget has a big hole in the middle, which is a direct result of the capital-receipt shortfall that the downturn in the housing and property market caused. The gap is so big that there is no way that the Minister for Social Development will be able to fill it by making a few savings here and there. Therefore, more funds must be given to DSD.

Every Department — whether it deals with transport, health or education — wants more money, but a limited amount of money is available. Many Departments and their supporters have put forward strong arguments for more funding, and even within each Department, but particularly within DSD, there will be many different priorities.

**Mr Storey:** I thank the Member for giving way, and in the absence of the SDLP's Minister, Margaret Ritchie, I am glad that he is here to defend her. What does the Minister do with the Housing Executive receipts that she has tried to hide in the past weeks and months? The honourable Member for North Antrim Mr O'Loan will bear witness to the fact that there is a problem with Egan contracts in our constituency. Although the Minister has it, she has failed to produce the money to deliver those contracts. Why blame others?

**Mr Burns:** That question should be directed to the Minister. There is simply not enough money in the DSD budget. Money is required for Egan contracts and for the warm homes scheme, which has been hugely successful but oversubscribed. Therefore, the SDLP wants more money to be given to it.

As well as more money for the warm homes scheme, the mortgage rescue scheme, and so on,

money must be directed at social housing and the newbuild programme. Small handouts during the June monitoring round will simply not be enough.

The SDLP identified in its policy document 'New Priorities in Difficult Times' from where money can be found. A massive cash injection into the social housing programme is undoubtedly one of the best things that we can do. The reasons for that are straightforward. By building new houses and carrying out repairs, we would cut waiting lists, help people in housing stress and give hope to homeless people.

We will also help the construction industry because building social housing creates more employment than any other form of capital investment. If we use land that DSD and the Housing Executive already own, we could build even more houses.

**Mr Simpson:** I know that the Member sits on the Committee for Social Development. Does he agree that the Department and his Minister should consider innovative ideas on how to push forward the programme of social and affordable housing, for example, by working more closely with the housing associations that sit with millions of pounds in their accounts and do not use it?

**Mr Burns:** I agree. The Minister is looking at ways to bring forward schemes to create more houses that people can afford. There must be a way for us to tap into the housing associations' money and land banks and get the housing programme started. If we were to do that, we would be able to put more money straight into the wage packets of construction workers and into the accounts of local building firms. Construction costs have also fallen sharply, so it is a good time to push forward with those projects so that we get the best possible value for money.

As I said earlier, I fear that I am repeating myself. I know that the housing projects are only one part of the solution and that there is no magic wand. However, I also know that the Minister is well aware of the economics of building social housing. I hope that the Finance Minister will work with the Social Development Minister to push forward the new building programme as quickly as possible and give her the money that she so badly needs.

**Mr Weir:** This is one of a number of debates that have been held about the Budget over the past few years. For those of us who are regular contributors to those debates, there is a great sense of déjà vu that always permeates them.

The Member mentioned that social housing was not a magic wand. Listening to the SDLP, however, one would think that it is the cure for all our ills. That party tells us that the economy's problems will be solved by providing more housing, although nobody could convincingly argue that that is the case. I am awaiting

the SDLP's putting forward social housing as the cure for swine flu. Perhaps it will put social housing forward as a suggestion to Alex Ferguson as to how he should fill the gap that will be left by the sale of Cristiano Ronaldo. Perhaps Manchester United's problems would be solved if he embraced the spirit of greater degrees of social housing.

Again, the answer from the SDLP is to produce another Budget. I commend the party for at least producing its proposals, although I have been — and I continue to be — somewhat critical of their contents. However, even taking its Budget proposals at face value, I think that they impact only about 1% of the budgetary process when it comes to resources. We are told that there needs to be an all-singing, all-dancing new Budget, but 99% of it remains unaltered under the SDLP proposals.

Without going into the detail, with which I have dealt on a previous occasion, a wide range of the SDLP's proposals regarding where the money will come from are highly questionable when they are scrutinised. For example, the reprofiling of Housing Executive debt would require the support of the Treasury. I think that that is fairly unlikely. The funding for the multi-sports stadium is earmarked for elsewhere. The Invest NI surplus funds are somewhat illusory in nature. There are a range of other matters that, quite frankly, do not add up.

However, I give that party credit for at least putting forward proposals. At least it has done the decent thing and stayed for the second part of the debate. By contrast, there is a deafening silence from the Ulster Unionist Party Benches, which is not surprising as none of them have even bothered to be here for this part of the debate. Silence is also what pervades the Ulster Unionist proposals in respect of alternatives to the Budget.

4.00 pm

It seems to me that the Ulster Unionists suffered from political and economic amnesia at various stages today. Their biggest lapse was that they are in some way separate from the Executive; whereas, in fact, two members of their party sit on the Executive and have endorsed the proposal at that level. As another Member pointed out, the Ulster Unionists were keen to criticise the Programme for Government today, yet, when asked about it on 'The Politics Show', their leader and one of their Ministers said that there was no need to recast the Programme for Government as it was fundamentally sound. I know that not just from watching the programme but from sitting about six feet from the said gentlemen during the debate.

There is also amnesia among the party's Members. We heard from the modern-day Galileo of the Ulster Unionist Party, Mr McNarry, on his quest for the black

hole. I will bow to the superior knowledge of the honourable Member Dr Farry, who described it as a quasar. I thought that a quasar was one of those laser battles that took place in an arena near the Ormeau Road. In the illusory search for the black hole, one is reminded of a mythical search for the Holy Grail. Mr McNarry keeps searching for that black hole, yet, curiously, does not find it. On the one hand, the first Member to speak on behalf of the Ulster Unionists, Mr McNarry, accused us of creating a massive black hole in the Budget; yet the criticism from the second Ulster Unionist Member to speak, Mr Beggs, was that we were "balancing the books". Balancing the books is a fairly tame criticism; some Administrations would be delighted if that was the only criticism made of them. It shows the contradiction at the heart of Ulster Unionist thinking on the issue.

There is an all-pervasive silence from the Ulster Unionists on alternatives, although, to be fair to them, they produced at least one: Mr McNarry's idea of some sort of equity release scheme involving selling off all our assets and then mortgaging them back. Any independent expert would advise that that idea is not a runner with the Treasury. Perhaps that explains why, having put the issue into the ether, there suddenly seems to be silence on it. It has all gone very quiet. The Ulster Unionist Party has suggested no alternative.

Even taking the SDLP changes at face value, and, as I said, I have serious doubts about whether they are realisable, the amount of money that is proposed is less than half that realised by the various monitoring rounds over the past two years. More than £1 billion has been reallocated. Although it is believed that the Budget process has been fundamentally sound, there has been an opportunity to readjust. Indeed, the Executive, of which, in case the SDLP has forgotten, it is also a member, have undertaken various measures to tackle the crisis. We have seen the announcement of the relief for small businesses and the freezing of regional rates for the non-domestic sector. We have also seen proposals from the Economic Development Forum, which was set up by the Executive to deal with construction, the financing of SMEs, businesses in difficulties, and skills. Measures have been introduced and there is more to come. Proactive action is being taken.

The reason why there is a need for adjustments rather than a fundamental review is that, in both the Budget and the Programme for Government, the Executive put economic development at the top of their priorities. Calls for re-prioritisation prompt the question: how exactly is something to come above number one on the list? Should another issue be placed ahead of economic development? The economy is at the centre of the proposals and at the heart of Government. The Executive have acted. However,

there will be a limit to what can be done, because contrasting what we do with other Governments' measures is not comparing like with like. Ultimately, we are a regional Government dealing with a block grant.

There may well be more difficult times ahead; I bow to the superior knowledge of the Ulster Unionists on that, because we see the slash-and-burn of the Conservative Party's proposals and the potential that they hold for large cutbacks.

One assumes that the Ulster Unionist Party would have sought some sort of guarantee that future block grants for Northern Ireland would be protected before any degree of reciprocation or electoral arrangements were made with the Conservative Party. However, that does not seem to have figured in any way in the Ulster Unionists' calculations. I am happy to give way to any Ulster Unionist Member who is willing to confirm that the Conservative Party will add the Northern Ireland block grant to the list of items that it says it will protect in the next Parliament. The silence is deafening.

**Mr Beggs:** As I said earlier, the Labour Government have accrued huge debts, and they will have to be repaid. Regardless of whether a Labour Government or a Conservative Government are in power, the British Exchequer will have to make significant repayments in the next number of years. That will affect finances throughout the United Kingdom, irrespective of who occupies Number 10. Does the Member accept that?

**Mr Weir:** Yet again, the honourable Member misses the point. Due to the difficulties that Northern Ireland has faced, one assumes that any party would, at least, have sought to protect the region from which it comes before making any electoral arrangement with another party. The DUP is not linked with the Labour Party or the Conservative Party; we are here to defend Northern Ireland, first and foremost. The Conservatives have announced a number of areas in which they will offer protection in public spending, whereas there will be large cuts elsewhere.

I am happy to give way to any Ulster Unionist Member who can assure the House that the protection of the Northern Ireland block grant was part of that party's negotiations with the Conservative Party, but, again, the silence is deafening.

The process that we have put forward is one —

**Mrs M Bradley:** Will the Member give way?

**Mr Weir:** I have only about five seconds left, but I will give way.

**Mrs M Bradley:** We should not be proud of ourselves, because, one year after the announcement of the Budget, we have not got a children's strategy in place.

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

**Mrs M Bradley:** Considering that we are in a recession and that children are suffering, that is disgusting.

**Mr Attwood:** I want to respond to one matter that Mr Weir raised. He failed utterly to grasp the inconsistency that was evident in his last point to Mr Beggs. He berated Mr Beggs for not securing protection for the Northern Ireland economy, given the Ulster Unionists' relationship with the Conservative Party. However, the DUP boasted about the protections for the Northern Ireland budget that it had secured from Gordon Brown and Tony Blair, and those protections went out the window in Gordon Brown's recently announced efficiency cuts strategy. Perhaps, the next time that he wants to challenge —

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

**Mr Attwood:** I will not give way until later. Mr Weir was not himself able to secure the very thing that he asks of another party. If he cannot see the inconsistency and contradiction, shame on him.

If this debate is to mean anything, the Minister has to respond today, on the eve of recess, to four or five representative issues that have been in and around the Chamber over the past two months. First, can the Minister come to the Chamber today and confirm for Members, and for everyone else, who will chair the Senior Salaries Review Body, and what its time frame is in bringing forward its proposals? Does the Minister agree that if a review is to have any value, it should go further than the Senior Civil Service salaries? There is now a need to look at the salaries of other people in senior posts in publicly-funded organisations.

According to media reports, the vice chancellor of Queen's University had a 13.3% salary increase in the past financial year, and it has been mooted that he will have an increase of 5.5% in the current financial year. His salary has increased by one third in four years.

In a year such as this, when other staff have been offered an increase of 0.5%, and given that this Government provide Queen's University and other higher education institutions with £2 of every £5 that goes to their coffers, is it not time for this Government and Assembly to cast their net further than the Northern Ireland Civil Service and look at Northern Ireland chief executives who receive substantial pay from the public purse.

In my view it is unsustainable to — rightly — ask our civil servants to have a review of their pay and conditions when we do not apply the same principle to institutions such as Queen's University, which receives more than £90 million of its £250 million annual income from central Government.

My second question to the Minister involves a report that appeared in 'The Irish News' on Saturday and concerns Queen's University; I use that institution



only as a general example of a publicly funded body. The article contained leaked information from the university's unpublished corporate plan. It said that:

"informed forecasts suggest that the university should be planning for a 10 per cent reduction in government income by 2012-13."

What does Queen's University know that the rest of us, who are meant to be in and around Government in the North, do not? What information can Queen's University put into a document that may be published and that quotes informed sources saying that there will be:

"a 10 per cent reduction in government income by 2012-13."

Why have we not heard about that, if that is what will happen?

Does the Minister or DFP know about any plans for major cutbacks or efficiency savings to the tune of 10% that might affect higher or further education institutions, or other publicly funded bodies in the North? In my view, such predictions raise a lot of questions and anxieties that we have an obligation to calm or, at least, discuss.

Mr Weir's comments were verging on cheap and shameful when he compared the issue of social housing and Margaret Ritchie's requirements in respect of that and the SDLP —

**Mr Weir:** I ask the Member to withdraw the accusation that I am "verging" on cheap and shameful.

**Mr Attwood:** That comment says a lot about the person who has just made that intervention.

My point is that if Mr Weir does not believe that the SDLP proposals on social housing are a panacea, he should ignore them. However, the current Finance Minister and, perhaps, a future Finance Minister, cannot ignore the evidence in the Smyth/Bailey report. That report says that the construction sector was the most exposed of all employers in the North. It says that for every 10 construction jobs there will be seven other jobs. It says that, although hundreds of millions of pounds have been released by Governments in London and Scotland for construction projects in the recession, there has been no response of a similar scale in the North.

The argument that Smyth and Bailey put forward is that it is possible — in my view, it is probable — that the single biggest intervention that one can make in a time of recession is to build houses, not only for all the reasons that I have outlined, or because costs in the North are down by 17% compared with what they were a short time ago, but for all the other social and wider community reasons that uplift a society that has secure housing. The Minister can ignore the SDLP proposals if she chooses, but she cannot ignore serious academic evidence that outlines a strategy that is based on social and affordable housing and that can make an

immediate and serious intervention in our economic situation.

Moreover, I ask the Minister to confirm whether she or the DUP agree with what Fra McCann of Sinn Féin said in last week's housing debate. He said that if there were £110 million of unspent DSD money for the Royal Exchange projects, Sinn Féin would support the SDLP's argument and:

"agree if that £110 million were moved across by the Minister, it would deal with the problems that we face" — [*Official Report, Bound Volume 41, p284, col 1*].

The problems being in respect of the housing shortfalls.

4.15 pm

Will the DUP confirm, through the Minister, that it agrees with the SDLP and Sinn Féin that in the event that that £110 million becomes available in the next monitoring round or in future monitoring rounds before the end of the financial year it will be authorised to be put back into DSD's construction and housing budget? On 7 January, the DFP Minister told the DSD Minister that he accepted the argument that a lack of housing money had a disproportionate material impact on the construction industry in the North.

Two of the Minister's ministerial colleagues came to the House recently; Martin McGuinness on 5 May and Gerry Kelly on 20 April. They spoke about the fact that a childcare strategy was being developed. Indeed, on 5 May 2009, the deputy First Minister said:

"I understand that a meeting of the relevant Ministers has been arranged for 28 May 2009 to discuss it." — [*Official Report, Bound Volume 40, p215, col 2*].

I know that that subject is dear to the Minister's heart because a year and a half ago when we talked about child-minding in the North we shared a photograph in the 'Belfast Telegraph'.

Will the Minister confirm whether that report has been received and will she confirm that money has been allocated to fund that report? Will we have a situation at the end of August where, once again, childcare organisations such as PlayBoard will come to the end of their funding stream? Those are simple questions: has the report been received and is the money available?

Equally, given the DUP's surrender, on 1 June, on the equal pay issue where, variously, Simon Hamilton accused other parties of playing politics, etc, only for the DUP to withdraw its amendment; is the money in the coffers to pay for the equal pay consequences in the event that agreement is reached quickly about who should get what amount of money?

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

**Mr Attwood:** Those are five questions. I hope that I receive five answers today or some time after today.



**The Chairperson of the Committee for Education**

**(Mr Storey):** I wish to highlight some aspects of the Committee's scrutiny of the Department of Education's budget, which are reflected in the Main Estimates. For those who have trawled through that small document, the details can be found on pages 57 to 86 of the 'Northern Ireland Estimates 2009-2010'.

One of the Committee's key areas of budget scrutiny continues to be the £200 million earmarked primarily for schools and youth services; approximately 10% of the overall education budget for 2008-09. The Minister of Education recognises that earmarking budgets erodes flexibility in the use of resources, and the Department has been assessing the scope for mainstreaming budgets directly to education users, mainly schools.

The Committee's objective is to increase the overall percentage of the education budget that goes directly to schools, and no one in the House would argue that that is not of paramount importance. How many of us have visited schools and spoken to boards of governors, principals and staff and found that the recurring issue that they want to see resolved is about money going directly to schools? The overall percentage of the education budget that goes directly to schools here is 62%, which is much lower than in other parts of the United Kingdom and some of our neighbouring European countries. The Committee for Education's particular focus in that area is to encourage the Minister to increase delegated funding through the common funding formula to primary schools and reduce the current differential in average funding levels between primary and post-primary schools.

In a letter that the Committee received from the Minister in July 2008, she stated that:

"baseline funds for distribution to schools in 2009/10 provide for a further increase in primary AWPU funding (from current level of 1.04 to 1.05), from next year – with a view to increasing progressively the relative funding levels distributed to primary schools under the LMS funding arrangements across the budget period."

Although that increase is welcome, it is not enough; we must go further.

Members of the Committee and Members of the House will have attended various presentations and seminars or have been lobbied by organisations such as Early Years. All those organisations stress the importance of early intervention in ensuring the delivery of good educational outcomes in the future, but those outcomes cannot be delivered if the adequate financial resources are not in place. Therefore, although the uplift to the AWPU (age weighted pupil limit) is welcome, as any additional funding is, the Committee feels that it is not enough to close the gap and deal with the differential between primary and post-primary schools.

The Committee welcomes the fact that there will be an increase of almost £27 million in the delegated budget for primary schools in the 2009-2010 education Estimates. A small element of that is additional funding, but that change demonstrates to the House that limited budgets can be used to better effect. The use of delegated funding allows primary schools to determine how they wish to use such funds to best meet their own needs and priorities, which is particularly important as needs and priorities can differ from area to area.

The Estimates touch on another aspect of the education budget that continues to be a matter of concern for Committee members and, no doubt, members of the House: school maintenance. There is a huge schools' estate in Northern Ireland, and it may come as a shock to Members to learn that the backlog for carrying out maintenance to that estate across the five education and library boards has risen to somewhere in the region of £200 million. Although it is imperative to have a speedy and effective procurement system in place, we must raise the major issues around the way in which procurement is being delivered. We are not seeing a lot of newbuilds being built and those that are being built are not being built quickly enough. I declare an interest as a member of the board of governors of Ballymoney High School, which has been waiting since January 2009 for the Department to finalise the financial arrangements that would allow it to cut the first sod and begin construction of the school that it was promised three years ago.

Several Members made references to the construction industry during today's debate, and the call for that industry to be given the green light to move forward must be extended to the education sector. We must be more aware and focused rather than allow ourselves to be held up by bureaucracy and red tape.

Let us adopt a can-do attitude. I have grave concerns about the way in which we govern ourselves. There is no point in my trying to blame other Ministers. If we are to have an Assembly, we need to take collective responsibility. Often, we do not adopt a can-do attitude when trying to move forward on these matters.

The issue of the maintenance budget must be urgently addressed to ensure that there is no further decline in the educational estate and that more problems do not arise in years to come as a result of delay and the system being unable to respond adequately and quickly enough.

The Committee noted the additional £5 million in the final monitoring round for 2008-09 and the Department of Education's bid for £14.8 million in the current monitoring round. However, during a recent budget briefing by senior departmental officials, the Committee heard that the current education and library

boards now have no set school-maintenance budgets. That is a matter of grave concern.

I have examined the Estimates that relate to the Department of Education. It is worrying, to say the least, that no established school-maintenance budget is included in the tables on pages 59 and 61. That is particularly worrying when one considers the £200 million backlog to which I referred earlier. I can assure the House that the Committee for Education will scrutinise that matter in some detail, and will ask the Minister of Education to put the proper budget arrangements in place for schools maintenance.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. I speak on behalf of the SDLP, not the Education Committee. Mr Storey has done that eloquently, and although I may echo some points that he made, I do so to underline their importance.

I begin with the issue of the procurement of capital projects in education; newbuilds, as they are better known. The Department of Education is notoriously slow in providing new schools, with delays running into years, and, in some cases, into a second decade. That is totally unacceptable at a time when we need an injection of capital into the building industry in this part of the country. In that procurement process, every second year of delay requires a fresh economic appraisal, which creates further delay. It is a vicious circle. For projects costing more than £5 million, DFP requires what is known as a BREEAM assessment, which may mean a fundamental redesign and restructuring of a project, creating further and longer delays.

That type of bureaucracy is a mire that causes delays that are impacting on the delivery of the education service at the chalk face. It would be of great assistance to those awaiting newbuilds if, for example, DFP could streamline its procedures and those of the Department of Education in such a way as to fast-track schemes to ensure that there are no delays, or that any delays are kept to a bare minimum. Such a development would provide a major stimulus to the building industry at a time when it is on its knees, and when the queue of unemployed construction workers is lengthening by the day. We need to bring new school builds on stream much quicker than is the case at the moment. We literally cannot afford those delays.

Mr Storey referred to the difficulties of school maintenance. In response to a question that I asked the Minister of Education on that issue, she gave an answer that ran to more than 60 pages. As Mr Storey said, the backlog in school maintenance is more than £200 million. Newbuilds would go some way to reducing that, but the bid of £14.6 million in the June monitoring round is not enough if children are to have access to the best possible educational facilities.

Greater investment in schools' maintenance is needed, as the estate is crumbling due to lack of investment. The maintenance budgets of education and library boards must be ring-fenced; they have been continually raided for other purposes throughout the years. That must be put right: money for educational maintenance must be spent on educational maintenance. Such investment would also benefit the building industry.

4.30 pm

During a debate on 19 May 2009 on special educational needs, the issue was raised of releasing £25 million to implement the findings of the special educational needs review. Unfortunately, the matter is not resolved. Apparently, that resource is still locked in dispute at Executive level. Many parents who have children with special educational needs wonder why a local devolved Executive is failing to release a valuable resource that would go some way to providing better educational services to their children. The issue must be resolved immediately: further delay will reflect extremely poorly on government here.

Other important reviews need resources to be allocated to them, including the nought-to-six strategy and the review of Irish-medium education.

The unregulated system of transfer that has emerged under the Minister has meant that area-based planning has not progressed at the rate at which it should have. Nevertheless, school closures and reorganisation are proceeding, with the axe hanging over many small rural schools. It seems sensible that school closures and school reorganisation should be stalled until properly agreed area-based plans are developed. The Executive should commit to providing financial support for small viable rural schools at risk of closure until proper area-based plans are developed.

**Mr Gallagher:** I agree with the Member. The Executive, and not just the Department of Education, must use logic in the treatment of schools. I take the Member's point that small schools must be supported in the interim period until area-based plans are worked out. The Minister of Agriculture and Rural Development spoke effusively about the publication shortly of a rural White Paper. Does the Member agree that it makes sense to keep supporting small schools until the outcome of the rural White Paper is known, as well as the area-based plans? When that information is available, decisions can be taken about the future of education provision.

**Mr D Bradley:** I agree wholeheartedly with the Member. In fact, this evening, I shall visit a small rural school that faces closure. That school has enough pupils to make it viable; in fact, it benefited recently from £250,000 of investment from the Department of Education. One fails to see the logic when an investment of that size is made in a small rural school,

but, within five years, that school is designated for closure. That simply does not make sense.

As to transfer 2010, I ask the Minister of Finance whether any consideration has been given to the possible costs that are associated with the current unregulated system, which may see the Department of Education joined in legal challenges that parents take. We may be faced with that scenario, and it is one for which the Minister should be prepared.

**Mr Storey:** I assume from the thrust of the Member's question that he is concerned about whether transfer 2010 will cost us more. Does he join with me in saying that in our segregated system, the maintained sector has cost three or four times the size of the budget? Alliance Party Members will know that I am good at quoting the document on the cost of division. Will the Member be consistent and say that the best way to reduce the cost of education is to not have the segregated systems that we have?

**Mr D Bradley:** I cannot agree with the Member on that point. He will remember that, on a number of occasions at the Education Committee, I traced the history of the segregated system in Northern Ireland. He will also remember what I said about Lord Londonderry's attempts to establish a non-segregated system and about who opposed him and introduced the segregated system. I am sure that I do not have to give the Member a further history lesson.

The SDLP is very much in favour of parental choice, be that for maintained, controlled, integrated or Irish-medium education. If parents want choice, we have to pay for it.

**Mr Shannon:** I support the motion and Members' comments about it.

Times are indeed hard for most people in the Province. In the United Kingdom as a whole, the economy is expected to decline by 3.5% in 2009, with a slight recovery possibly this time next year. We are all asking what that means for the Province, and I will address that point.

I am informed by the Department of Finance and Personnel that the Chancellor has confirmed that an additional £5 billion in efficiency savings will apply to the devolved Administrations. That means that our block grant will be reduced by some £122.8 million this year. However, the potential impact of that is offset by the allocation of Barnett consequentials of £116 million over this year and the next. That is a serious situation, and I am not taking away from it, but it is not all doom and gloom.

What does all that mean in layman's terms to you, me and our constituents? It means that not much money is available; we all know that. We must tighten our belts considerably; we all know that as well. We

cannot expect that we will get money to meet all our wants in each Department; indeed, nor will we.

Above all, it means that we must show wisdom in the manner in which we spend money in each Department to ensure that each pound that is spent is put to the best use. The current financial position means that the only way that more resources can be allocated to a particular service is to scale back other public services. That is robbing one service to pay for another. For that reason, each Department must plan and allocate funding carefully according to priorities and needs.

Tha Mannyistiar haes wrought wi' caer tae mak shair tha best uis o'tha shair oot tha mony tae each Depertmunt, an haes wrought oan brinin aboot as much setisfactry effeect as poasibel.

The Minister has worked carefully to ensure the best use of money in the distribution to each Department, and he has tried to ensure as high a level of efficiency as possible.

In addition, the position on the Executive's expenditure plans, which are grounded in the Programme for Government, is dynamic and fluid. Other Members mentioned that the programme's number one priority is economic growth. They indicated that they support that and wish it to continue.

In particular, although Whitehall Departments' three-year expenditure plans have remained largely unchanged since October 2007, spending plans for Northern Ireland Departments in 2008-09 have, as part of the in-year monitoring process, been reviewed on four occasions in light of the most up-to-date, available information. Clearly, work has been done. That approach will continue during 2009-2010 as part of the forthcoming June monitoring round. We are keeping up to date and on top of monitoring to ensure value for money and to make change as and when it is needed. Certainly, the Minister and his Department work hard to ensure that the Province receives as much money as possible.

At the same time, I must point out that the Finance Minister can only direct money towards Departments; he does not earmark money for individual projects. That is the responsibility of individual Ministers. The onus is on them to ensure the proper distribution of funds on the ground. There is a need to ensure that funding is not wasted on processing schemes through the system and that the process is sufficiently efficient to ensure that as much money as possible goes to schemes and, subsequently, to the people who need it. That is no easy task.

Wearing my other hat as a member of my local council, I am aware of the background work that goes into every decision, every paper that must be researched, and every in-depth inquiry that must be



carried out. Departments must ensure that that work is carried out as efficiently as possible so that more funding for projects is secured.

I have considered the SDLP's proposed Budget, some of which would certainly be beneficial if it were taken on board. However, I also see that it is not a solution in itself. It contains a number of factual inaccuracies, and some of its goals cannot be realised within our current timescale. I have every confidence that the Minister will take on board and incorporate the parts that are of benefit and use to the entire Province.

Although the situation is not a crisis, it must be monitored. I have faith that my colleague Nigel Dodds and his spokesperson in the debate, Arlene Foster, will ensure that we survive the economic downturn and see the beginnings of the shoots of prosperity. Although there are major problems, it is important that we understand that the dawn is coming. In the meantime, we must ensure that each and every Department takes on board the concepts of efficiency and priorities so that they can pull us through.

Through his Department, Minister Dodds has done a good job in difficult circumstances. I know that he will continue to monitor the situation and ensure that Departments get all the funding that is available. People on the ground need to see Departments choose what to spend the money on wisely. I challenge every Minister, Committee Chairperson and Committee to get that money on the ground and to let people see a difference. I support the motion.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** The debate has been good. It raised many issues, which was to be expected. I have noted those issues, and I will try my best to deal with them. Clearly, if there is anything that I do not deal with, or that I am unable to deal with, I will, undoubtedly, be reminded during tomorrow's debate. I hope that I will be able to deal with any such issue during that debate, if not during these closing remarks.

At the outset, I acknowledge confirmation by the Chairperson of the Committee for Finance and Personnel that there has been appropriate consultation with his Committee on the public-expenditure proposals that are reflected in the 2009-2010 Main Estimates, the Supply resolution and the related Budget (No. 2) Bill. As a result of that confirmation, the Budget (No. 2) Bill that I will introduce shortly will proceed under accelerated passage, which will exclude Committee Stage. On Mr Dodds's behalf, I appreciate the Committee for Finance and Personnel's assistance and action on the matter, which will help to ensure the seamless continuation of public-service delivery throughout the coming year.

As I said, I will try as far as possible to address the issues that various Members raised, and if I miss any, I am sure that I will be reminded of that.

The first issue that I want to address is the limitation of monitoring rounds, which many Members raised, not least Dr Farry and Mr O'Loan. I must say that Members are too dismissive of the monitoring process, which is an important tool for the Executive in the strategic management of the public-expenditure position.

Mr Hamilton pointed out that the monitoring process has facilitated more than £1 billion of changes in departmental allocations in the past two years. Mr Beggs questioned the purpose of monitoring rounds without reallocations. I want to put him straight: there have been £1 billion of reallocations since the restoration of the Assembly.

4.45 pm

**Mr Beggs:** Does the Minister acknowledge that it is better to plan funding so that money is not spent hastily near the end of a financial year? Does she agree that such an approach would achieve better value for money?

**The Minister of Enterprise, Trade and Investment:** Absolutely. However, the flexibility of the monitoring round allows us to reallocate if necessary, and Ministers have used in-year monitoring to reallocate money to Departments. Where original programmes or projects have encountered difficulties, or where costs have decreased rather than lay idle, the money can be redirected into the economy. That approach has facilitated substantial redirecting of money, not least £22.5 million for the fuel poverty scheme, £26.5 million for housing programmes, £20 million for the farm-nutrient management scheme and almost £10 million for minor capital projects. Members should not dismiss those significant developments.

The Chairperson of the Committee for Finance and Personnel mentioned the review of in-year monitoring. In March 2008, the Executive agreed that there should be a review of how the Executive and the Assembly conduct the Budget processes. We listened to the concerns of Members and the Committee for Finance and Personnel on those processes. The Committee provided valuable and substantive input into that review and incorporated comments from other Committees. Similarly, a review of the in-year monitoring process has been undertaken, and as the Chairperson said, the evidence-gathering stage of both reviews has largely been completed. I understand that officials will soon bring the emerging position to the Minister of Finance and Personnel for his consideration, after which the various Committees, not least the Committee for Finance and Personnel, will consider the matter.

The Member also raised some issues about capital delivery. I will offer two points in response. First, as he



highlighted, we face a difficulty owing to the lower level of capital receipts. Although that was an issue last year, its impact was largely managed through the in-year monitoring process. The best illustration of that success is that the Department for Social Development, with Executive support, delivered 1,365 new housing units last year against a milestone of 1,500. That performance leaves the Department well on track to meet its Programme for Government target of 10,000 units over five years. The current economic climate, as bad as it is, will not last for ever, and assets that we cannot sell today will be retained for future disposal. Secondly, the current state of the construction market provides an opportunity to procure capital projects at lower costs. Mike Smyth and Mark Bailey's much-quoted report, which I had the opportunity to read at the weekend, picked up on that point.

Rev William McCrea, the Chairperson of the Committee for Agriculture and Rural Development, spoke about farming issues. I am grateful for his recognition of the funds that have been provided to the Department of Agriculture and Rural Development for the farm-nutrient management scheme and to support the fishing industry. The farm-nutrient management scheme is a long-term investment in farm infrastructure that is essential for EU compliance and to create an environmentally sustainable future. However, we need to support and assist our farmers, and he made the point, very forcibly, that farmers are investing a great deal of their own money in the industry. That point must be acknowledged.

Mr McNarry made several points about the Budget process and said that the Department of Finance and Personnel does not accept bids during the June monitoring round. He has either been misinformed about or has misunderstood — Members can take their pick — the scope of the June monitoring round.

Departments have been asked to submit spending bids in this monitoring round as they would in any other year. As always, the Executive will determine the way forward only when all the evidence on the bids has been collected and analysed. I understand that some considerable bids have still to be dealt with.

The level of funding for the Budget plans for 2011-12 and beyond, which will be available to the Executive in the form of the block grant, will be confirmed only as part of the next UK-wide spending review, which is not expected until some time next year. Some very rash assertions were made about funding cuts, the best examples of which were made during the debates on the previous Budget, when similar fears were largely overblown. Once again, that highlights the folly of rushed and ill-informed judgements on Budget proposals, which Mr McNarry continues to make. Some people never learn, and he is clearly not in a position to listen to what is happening.

Just as he has still not grasped the concept of Budget proposals, he has not grasped the concept of a four-party mandatory coalition. The Executive are comprised not of two parties but four.

**Mr Kennedy:** And Jim Allister.

**The Minister of Enterprise, Trade and**

**Investment:** Jim Allister is not in the Executive, funnily enough. The do-nothing Executive to which Mr McNarry referred have two Ulster Unionist Ministers. What an indictment that is of those two Ministers, if that is what Mr McNarry thinks that they are at. As for deceit, Mr Deputy Speaker, hypocrisy knows no bounds from Mr McNarry. I am sorry that he is not here to hear my remarks, but no doubt he will read them in the Hansard report and respond tomorrow. For the record, however, I will not take any lectures from a man who was a special adviser to David "No guns, no Government" Trimble.

**Some Members:** Hear, hear.

**Mr Kennedy:** You supported him in his leadership bid.

**The Minister of Enterprise, Trade and**

**Investment:** I was on my honeymoon during one David Trimble's leadership bid. I enjoyed my time in Cyprus greatly, Mr Deputy Speaker. I had nothing whatsoever to do with that particular gentleman's election.

Moving on, which I am glad to do, I want to deal with some of Mr O'Loan's comments about the difficult financial situation that we are in. There is no denying that the financial environment has become more difficult, and, unfortunately, it will become even more challenging. However, Mr O'Loan is simply wrong to suggest that efficiency savings are the cause of our difficulties. It is only by making savings in existing services that Departments will be able to meet spending pressures. I heard Mr O'Loan say that civil servants gave me a cut-and-paste speech that was written 18 months ago. If that is the case, I do not know how I could have given details of up-to-date expenditure such as that for the new hospital for the south-west in Enniskillen. He should not judge others by his tactics of cutting and pasting speeches to make in the Assembly. Not every Member does what he does.

Those of us who were out and about during the European election campaign know that the Civil Service equal-pay claim is an important issue. Mr O'Loan, and Mr Attwood in particular, said that the desire to deal with the equal-pay claim is clear to us all. I was disappointed by Alex Attwood's attack on Simon Hamilton for withdrawing an amendment to the motion on the equal-pay issue on 1 June. He attacked Peter Weir, which he is entitled to do, but he should have thought better of following that up with a snide attack on Simon Hamilton, whose intention in withdrawing his amendment was to avoid dividing the House.

The Civil Service equal-pay claim involves very complex issues, and a great deal of work remains to be done before the matter can be resolved. The Minister of Finance and Personnel met NIPSA representatives on 7 May to hear at first hand the union's issues of concern and to assure them of his commitment to resolving the matter, if possible through a negotiated settlement, without the need for litigation. As we all know, the only people who benefit from litigation are the lawyers.

It is necessary to reach a negotiated settlement, and that is still the desire of the Executive. A review of technical support grades is being undertaken to ensure that posts are correctly graded, and to provide a firm foundation for resolving the matter. Discussions are continuing; therefore, it would be inappropriate for me to go into any more detail at this stage.

Mr O'Loan and Mrs Hanna mentioned the SDLP Budget proposals, as did others. They are a welcome contribution to the debate on the handling of public expenditure. The proposals have been examined by the Department of Finance and Personnel, and by Ministers of other Departments. However, it is important to recognise that there are flaws in that analysis, as have been mentioned, and that the proposals require significant development before they could be considered for further implementation. Furthermore, some of the proposals to generate funds for reallocation may not be deliverable in the next two years; for example, additional asset sales. It should also be recognised that there are deeper flaws in respect of the amounts that are identified as being available from Invest NI and the Port of Belfast.

Many Members mentioned the impact of the loss of Workplace 2010 receipts. The potential of £175 million from Workplace 2010 receipts was factored into the plans for 2008-09. However, the loss of those receipts was managed through the in-year monitoring process. Lower construction costs also provided an opportunity for Northern Ireland Departments to procure capital projects at lower cost.

**Mr O'Loan:** I made the point that £175 million was not delivered last year, and that was a real loss. That meant that capital schemes that should have been funded from that money did not go ahead. Does the Minister accept that?

**The Minister of Enterprise, Trade and Investment:** I accept that we were able to manage that through the in-year monitoring process — the same process that is being attacked by Members across the Floor who say that it is not adequate to deal with issues that come up during the year. We used that process to deal with the loss of that contract. As the Member is aware, the reasons why the project was not completed were external, and did not represent a failure by the

Executive to proceed with it. It was simply the case that both contractors who were involved in the competitive tendering process joined together, and as a result, there was no competitive tendering. That was the issue, and we could not proceed.

On the one hand, Stephen Farry complains that nothing has been done about the economic downturn; he then raises concern that the measures that have been adopted have not been baselined. That is a disparity. He also said that we compare unfavourably with the rest of the United Kingdom. That is simply not the message that Nigel Dodds gets when he speaks to colleagues in Wales and Scotland. We are the first devolved region to deliver such a programme as a short-term aid scheme to help people in business. Sometimes, the Members opposite indulge in a bit of glass-half-empty rather than glass-half-full thinking. We are effectively dealing with the issues that are before us, particularly those that the business community wants us to deal with.

The Member also raised the concern that funds have been allocated to pressures other than the economic downturn — I think he used the term “populist” — but we should ensure that sufficient resources are made available for all public services. I am sure that the Member would accept that, in tough economic times, support for the vulnerable is just as important as hard-nosed economic initiatives.

Dr Farry also suggested that we should not offset the reduction in funding for 2010-11 as a result of the additional efficiency savings through the use of Barnett consequentials. However, he provided no indication as to how he would bridge the resulting funding gap that would remain, other than to make non-specific reference to the costs of division again. There are undoubtedly some additional costs associated with a somewhat segregated society. I do not think that anyone would deny that.

The Member for North Antrim Mr Storey talked about the costs of our segregated education system. However, as has been made clear previously, the suggested savings are sometimes overblown, and would also involve job cuts. That would not be achievable in the short term.

He also mentioned the tension between policies that look at stimuli and having to deal with a debt burden, which was a fair comment. When do we move from trying to create stimuli to dealing with the debt that we have as a result of those stimuli? That was a question that I had to ask when I looked at the short-term aid scheme. I asked whether it was worth doing it at the time and decided that we had to do something to help businesses in need. The scheme is time-limited and will end in 2010. We hope that the upturn will have

arrived by that stage and that we will be able to make use of the skills that we were able to save in companies.

5.00 pm

Fra McCann, Roy Beggs and Alex Attwood mentioned social housing, as did other Members. Over the past five years, the number of social houses completed per capita has been almost a third higher in Northern Ireland than in the UK as a whole. Similarly, total housing completions per capita were 160% greater in Northern Ireland.

Members also referred to the report by Mike Smyth and Dr Mark Bailey. Although that report attempts to provide an assessment of the monetary and non-monetary benefits of investment in social housing, its content and conclusions clearly reflect that it was commissioned by DSD. That is something that Members should consider very carefully when reading the report's analysis. Any Department can commission its own consultants to prove the case for additional funding; I am sure that Departments have done so in the past and will do so in the future.

Unfortunately, the underlying analysis in the report is rather sparse. Evidence for the construction sector as a whole is based on data for Scotland that are five years old. In addition, the evidence in support of investment in social housing relies on a single study from 2003, which, again, was based on the position in Scotland. Therefore, although the report adds to the debate, it is not particularly applicable to Northern Ireland or informative in the current economic climate.

**Mr Hamilton:** Does the Minister share my sense of irony that the SDLP Minister with responsibility for housing has commissioned a report by consultants to try to prove her point when her party's proposals for the public finances in Northern Ireland refer to doing away with consultants to a large degree?

#### **The Minister of Enterprise, Trade and**

**Investment:** I am sure that that point will be put to that Minister in due course.

I want to talk about the £110 million easement that Mr McCann mentioned.

**Mr O'Loan:** There is considerable experience and knowledge in our university system, which is available to the public sector at considerably less cost than traditional methods of consultancy. If Departments were to avail themselves of that knowledge and experience, it would be very beneficial and considerably more cost-effective than taking our present routes.

#### **The Minister of Enterprise, Trade and**

**Investment:** That is something that I intend to look at this week; I plan to meet economists from our local universities and take the very route that the Member mentioned.

Mr McCann and Mr Attwood referred to the £110 million easement in respect of the Royal Exchange project. The Social Development Minister has not yet formally identified that money for reallocation by the Executive. The Royal Exchange project will also provide additional business and work for the construction industry. The decision is one for the Social Development Minister, but, as Mr McCann said, social regeneration is also an issue. Therefore, the question is whether the Minister wants to transfer funding for the project to housing or whether she wants to continue with the regeneration. That is her decision, and we can have a discussion around the Executive table about the reallocation of that money.

**Mr Attwood:** There has been a bit of mischief-making about the DSD report that was acquired by Margaret Ritchie. However, there can be no mischief-making about what Mrs Foster's colleague Mr Dodds said. He said that building less social housing in a recession had — to use not mine or Margaret Ritchie's but Nigel Dodds's words — a materially disproportionate effect on the construction industry. Given that the evidence, not from Scotland, Wales or England but from Northern Ireland, is that the construction industry has suffered more than any other sector of our employee base — the Minister knows that because of her DETI background — how can she not join up the dots and draw the conclusion that investment in housing materially benefits the construction industry, as well as all the broader uplifts that would come to society?

#### **The Minister of Enterprise, Trade and**

**Investment:** It is not that I am not joining up the dots. We all recognise the value of social housing, and those points were made in the report by Mr Smyth and Mr Bailey about homelessness, social exclusion and other issues. However, the report skews the evidence to argue for social housing over, for example, public transport and roads infrastructure. Homelessness will not have as high a rating for public transport and roads infrastructure as it does for housing. There are other areas of construction that I urge Members to consider. We need a full and open debate, not just a consultants' report that was commissioned by the Department for Social Development to argue its case for social housing.

Nelson McCausland raised the issue of safety at sports grounds and the Department of Culture, Arts and Leisure's opening capital budget for 2009-2010 of £29 million for stadia development. The Culture Minister has reallocated £22 million of that to accelerate projects in sport and in other sectors. It is my understanding that those accelerated projects, including those relating to safety at sports grounds, will be taken forward.

I also welcome the Member's emphasis on the need for support for sport and tourism, areas that are close



to my own heart. Tourism is a growth area, and the Executive are always aware of the need to keep it high on the agenda. It is gratifying that the relative peace in our community facilitates further concentration on it. As the Minister with responsibility for tourism, I assure Mr McCausland that I will not be found wanting in pushing ahead with tourism infrastructure.

Roy Beggs highlighted the need for more public spending and spoke about balancing the books, directly contradicting his colleague Mr McNarry, who talked about a black hole. It is hard to see the meeting of those positions. However, there is no denying that the financial environment has become more difficult and will, unfortunately, be more challenging, particularly if we face cuts from a Tory Government should David Cameron become the next Prime Minister. However, the Member is wrong to suggest that efficiency savings are the cause of those difficulties. It is only by making savings in services that Departments will meet spending pressures. Surely the Member recognises that the Executive can best support the economy during the downturn by delivering on the commitments in the Programme for Government.

Last year, we had the highest levels of funding for public services, as well as record capital investment, providing support to the construction sector. Furthermore, Mr Beggs's pessimistic view of the economy contradicts reports in the 'Financial Times' that most City economists think that the UK economy has begun its recovery. Although the Member is right that public finances will be more constrained, regardless of which party is in control after the next general election, the challenges will be much worse under a Conservative Government than under the current Labour Administration.

The Member spoke about Budget pressures. The main Budget pressure facing the Executive this year is that the Department of Agriculture and Rural Development has said that the capital receipt from the disposal of the Crossnacreevy site will not now be delivered. However, that and other shortfalls in capital receipts should be compensated for by slippage on other projects.

Another potential pressure is the impact on Northern Ireland of the additional efficiency savings that are expected to be made in UK Departments. However, the outcome of the 2009 Budget was not as bad as some had predicted. Additional allocations largely offset the reductions made through the Barnett consequentials. Therefore, most of the known pressures that the Executive face should be absorbed as part of the in-year monitoring process. However, the House must note that major uncertainties remain in respect of domestic water and sewerage and the NICS equal pay scheme.

I appreciate that there are also concerns about the performance of Land and Property Services. Many of those concerns resulted from the change to the rating system that occurred at the same time as services were shifted to that agency. The Minister of Finance and Personnel has asked the performance and efficiency delivery unit to conduct a review in collaboration with Land and Property Services. The aim of that review is to provide assurance that the agency is structured and managed in a way that focuses on the delivery of its important objectives. The team is framing its final conclusions and is due to report back shortly.

I am sorry that Mr Beggs is not here. I listened carefully as he spent considerable time talking about double-jobbing and how people cannot be in two places at once. I look forward to his resignation either from this place or from his council position, because the logic of his argument dictates that he cannot hold both those positions. Indeed, one would have thought that Mr Beggs, of all people, would be careful about making such statements. His father was MP for East Antrim, a Member of the Northern Ireland Assembly between 1982 and 1986, a councillor and an active farmer — all at the same time. Despite that, Mr Beggs comes into the Chamber and speaks about double-jobbing and how people cannot be in two places at the one time.

Mrs Hanna wanted to speak about redundancy payments in light of the Audit Office's report on the Department of Health, Social Services and Public Safety. I appreciate the Member's concerns about the cost of redundancy payments made to senior staff following the reorganisation of the Health Service. However, we must respect the rights of the senior and lower-paid staff who are being made redundant as part of efficiency-driven reorganisation. The Member must also bear in mind that the redundancy payments will bear fruit in the longer term, by producing much-needed efficiencies that can be reinvested into front line health services. That is something that I would consider to be a longer-term aim for the House.

I fully agree with Mrs Hanna that the focus should be on outcomes and quality of service and that there must not be a slash-and-burn attitude to efficiency savings. It must be taken on board that Committees have a clear role in ensuring that savings are made through doing things better rather than through making crude cuts.

Jennifer McCann, perhaps unsurprisingly, said that the Executive should be given the full range of fiscal powers. Northern Ireland does very well as a consequence of being a full part of the United Kingdom. Full fiscal autonomy from the UK is not a risk-free option, and that needs to be addressed by the people who propose it. Indeed, the latest figures indicate that there is a £6.7 billion gap between the tax



revenue that is generated here and public expenditure. The Member might want to consider how she would manage such a Budget deficit were we to have full fiscal autonomy.

The Member also mentioned public procurement, which arises again and again as a matter of concern. In December 2008, the Minister of Finance and Personnel established the construction industry forum procurement task group to agree the principles to be applied to future construction procurement. The group's report was finalised on 30 April and was tabled at the procurement board on 7 May. The Finance Minister has instructed Central Procurement Directorate to work with all government construction clients to implement the seven key principles agreed by the task group, one of which is to provide recurrent tender opportunities for enterprises of all sizes.

5.15 pm

Centres of procurement expertise are required to advertise all construction procurement opportunities that are in excess of designated thresholds on their websites or in the local press. The procurement board approved the use of the eSourcing NI web portal as a single sourcing tool for all centres of procurement expertise. The portal offers all registered construction firms 24/7 access to view all procurement opportunities and facilitates the submission of electronic tenders.

Recently, a hospital in my own area of the south-west held a successful open day for local contractors, which was facilitated by Invest Northern Ireland. It was a hugely successful event and indicates what can be achieved locally if we put our minds to the issue of procurement.

Mr O'Loan and Dr Farry mentioned the green economy, which is one of the key growth areas for us. It is one of the reasons why I set up the interdepartmental working group on sustainable energy. The working group has met on a number of occasions, and a subgroup has been set up to examine green jobs. I am hopeful that we will see a lot of progress in that area.

Alex Attwood asked me a number of questions, and I hope that I have answered one or two of them already. He asked me about the review of senior Civil Service pay and bonuses, which was announced by Nigel Dodds only last Thursday. I have no doubt that he will want to say more on the whole procedure and on the leadership of the review. My colleagues are discussing the issue, and the terms of reference may well be extended, as they are not set in stone. However, Executive Ministers will discuss the issue.

In relation to Queen's University, Belfast, and its 10% cut in funding as reported in 'The Irish News', the allocation to the Executive in relation to public bodies, such as Queen's University, is in line with the UK's public expenditure system. However, despite

some forecasts that the wider economic position in 2012-13 will be known, we have public expenditure plans only up to March 2011.

**Mr Attwood:** First, I want to acknowledge that the Minister indicated that the Senior Salaries Review Body's terms of reference may extend beyond the Civil Service. If that were to happen, it would be timely, and it would be a good development. However, the Minister indicated that what happens after 2011 is yet to be determined, even though a public body in Northern Ireland appears — I stress the word "appears" — to be making proposals, including making up to 300 staff redundant, because of what informed sources tell them may be the position from 2012-13. It is a concern when a publicly funded body in Northern Ireland appears to be making decisions based on figures that it believes to be the case, even though those figures are not in the public domain and are not even known to our Ministers. Surely there needs to be a conversation with that public body about what it is doing.

#### **The Minister of Enterprise, Trade and**

**Investment:** I am sure that the Member will take the issue up with the Minister for Employment and Learning. However, on the basis of what we know, I can offer no clarification of the item that appeared in Saturday's edition of 'The Irish News'. If you wish to take the matter up with the relevant Minister, I am sure that he will endeavour to find out the answer for you.

The Chairperson of the Committee for Education, Mr Storey, raised the issue of schools funding in the latter part of the debate, and Mr Bradley took the matter on. I recognise the Member's call for additional funding for schools. However, we need to recognise that, overall, schools funding is set to increase by 5.9% this year, which is significantly greater than the average for other public services. The Member will also be aware that, as part of the December monitoring round, an additional allocation of £4 million was made for school maintenance to the Department of Education. However, as the Member will know, that is primarily a matter for the Minister of Education, who has a considerably large budget. In fact, that Department receives the second-highest level of funding.

I am aware that there is at least one question of Mr Attwood's that I have not answered. I am not in a position to answer his question on childcare today, but, if he will be in the House tomorrow, I will endeavour to find the answer for him by then. Members have a considerable interest in childcare, as do I, as Mr Attwood mentioned.

I thank Members for their contributions to the debate. I acknowledge their genuine concern and their desire to fund many needy projects and programmes. However, as has been said many times, my colleague

the Minister of Finance and Personnel does not have a bottomless pit of money from which to draw. The extent to which specific pressures in one area will be addressed is contingent on the level of reduced requirements declared by other Departments.

I commend the Supply resolution to the House. I remind Members of the importance of today's vote. It is vital that public services continue seamlessly in 2009 and 2010, and I ask all Members to support the motion.

**Mr Deputy Speaker:** Before proceeding to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That this Assembly approves that a sum, not exceeding £7,566,927,000, be granted out of the Consolidated Fund, for or towards defraying the charges for Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 and that resources, not exceeding £8,311,830,000, be authorised for use by Northern Ireland Departments, the Northern Ireland Assembly Commission, the Assembly Ombudsman for Northern Ireland and Northern Ireland Commissioner for Complaints, the Food Standards Agency, the Northern Ireland Audit Office and the Northern Ireland Authority for Utility Regulation for the year ending 31st March 2010 as summarised for each Department or other public body in columns 3(b) and 3(a) of table 1.3 in the volume of the Northern Ireland Estimates 2009-10 that was laid before the Assembly on 29 May 2009.

## EXECUTIVE COMMITTEE BUSINESS

### Budget (No. 2) Bill

#### First Stage

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I thought that you were going to call me by name but you have obviously forgotten to do so, Mr Deputy Speaker.

I beg to introduce the Budget (No. 2) Bill [NIA 8/08], which is a Bill to authorise the issue out of the Consolidated Fund of certain sums for the service of the year ending 31 March 2010; to appropriate those sums for specified purposes; to authorise the Department of Finance and Personnel to borrow on the credit of the appropriated sums; to authorise the use for the public service of certain resources (including accruing resources) for the year ending 31 March 2010; and to repeal certain spent provisions.

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

**Mr Deputy Speaker:** As Minister Foster said, the Speaker has received written notification from the Chairperson of the Committee for Finance and Personnel confirming that the Committee is satisfied that, in accordance with Standing Order 42(2):

“there has been appropriate consultation with it on the public expenditure proposals contained in the Bill”.

The Bill may, therefore, proceed through accelerated passage, and the Second Stage of the Bill will be brought before the House tomorrow, Tuesday 16 June 2009.

*Adjourned at 5.23 pm.*

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# NORTHERN IRELAND ASSEMBLY

Tuesday 16 June 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

**Mr Attwood:** On a point of order, Mr Speaker. During yesterday afternoon's debate on the Supply resolution, the Minister of Enterprise, Trade and Investment said on two occasions that, if matters were raised that she could not answer during the debate, she would endeavour to investigate them overnight and provide answers during today's debate on the Budget (No. 2) Bill. I believe that to be good practice. However, on 19 May 2009, the responding Minister in one debate said about issues that had not been addressed:

"I will ensure that those issues are addressed and that Members get the proper response from the Ministers concerned." — [*Official Report, Bound Volume 41, p90, col 2*].

That was four weeks ago. I and perhaps other Members have received no correspondence from the Ministers concerned about matters that were raised during that debate, which was about flooding in Andersonstown. Indeed, that matter is relevant at the moment, given our uncertain weather.

My point of order is twofold. First, what requirement is on Ministers to respond after a debate has concluded? Secondly, are you prepared to give a ruling on the authority of the House when Ministers have failed to respond after four weeks to relevant matters that were raised in the Chamber?

**Mr Speaker:** The Member knows that I was not in the House yesterday because I was engaged on Assembly business elsewhere. However, I must say that I believe that Ministers who give an undertaking to the House to respond to Members should do so. It is clear that they should do that. Furthermore, I have no doubt that the Member's comments have been noted by the Minister concerned.

**Mr Attwood:** I ask, Mr Speaker, that you consider the general point in order to determine whether conventions might be established whereby Ministers have an obligation to reply in good time, especially

given that some matters may be of acute concern to people whom we represent. Rather than leaving it to the whim of Ministers, is it not time for the House to lay down requirements about when and how quickly Ministers must reply on matters that involve undertakings that they have given?

**Mr Speaker:** I repeat that I would expect Ministers to honour any undertakings that they have given to the House, and that is clear from what I have said as the Speaker. Nevertheless, let me consider the matter and see what more I can do about Ministers who fail to respond to promises that they have given to the House.

Before moving on to the business of the day, I want to deal with one further matter. On 19 May 2009, I indicated that I would consider remarks that Mr McNarry made about Mr McCartney during Question Time on 18 May 2009, and I have now done so. On many occasions, I have warned Members to take care about what they say in the Chamber about other Members, and that includes — I underline this point — making direct allegations of criminal behaviour when there have been no convictions. I have reflected on what Mr McNarry said, and I believe that direct and unsubstantiated allegations of criminal behaviour were made against another Member. I regard those remarks as unparliamentary, so I ask Mr McNarry to withdraw them.

**Mr McNarry:** Mr Speaker, I have no statement to make.

**Mr Speaker:** Given that the Member has not withdrawn his remarks, under Standing Order 65, I order him to withdraw immediately from the Chamber and its precincts for the remainder of today's sitting.

*The Member withdrew from the Chamber.*

**Mr Speaker:** I continually say to all sides of the House that, as the Speaker, I address all such matters in a measured way, in the hope that issues might be resolved. However, some Members take that to be a weakness on the part of the Speaker. Let me make it absolutely clear: taking such an approach is not a sign of weakness. When I have to step up to the mark to deal with issues, no matter how difficult they might be, I will do so, but I always try, especially behind the scenes, to resolve those issues. However, if Members are not prepared to at least try to resolve them, I have no choice but to come to the House to deal with them. My job is to protect the integrity of the House and the business that is conducted in it, and I have continually said that it gives me no pleasure to come here to deal with such matters. If an issue can be resolved beforehand, it should be resolved. I remind the House: do not take it as read that there is a weakness in the Speaker. That is not the case.

## MINISTERIAL STATEMENT

### Planning: Economic Development Proposals

**Mr Speaker:** I have received notice from the Minister of the Environment that he wishes to make a statement on major economic development proposals and the development plan scheme.

**The Minister of the Environment (Mr S Wilson):** On 11 May 2009, I made a statement to the Assembly on the weight to be accorded to economic aspects of development proposals. I underlined then the importance that I attach to ensuring that the planning system makes its contribution to the growth of a dynamic, innovative and sustainable economy, especially in these difficult times of global recession.

The primary purpose of my earlier statement was to instil confidence in decision-makers to make judgements that give greater weight to economic considerations where it is appropriate to do so while continuing to protect and enhance the environment. I wanted to ensure that the planning system would play a full and positive role in encouraging investment.

In making this statement today, I will clarify how proposals for significant economic development can be taken forward in the context of the delays experienced in producing a full coverage of up-to-date development plans for Northern Ireland. As we have already witnessed, changes in the economy can take place on a timescale that is significantly shorter than that experienced in the production of new development plans. Indeed, as Members will be aware, delays in the progress of a number of new development plans have been compounded by complex legal challenges. As a consequence, I am concerned that some significant development opportunities may be lost.

I recognise that development plans in Northern Ireland take too long to prepare. In addition, they can be overly detailed, and the strategic vision and direction can become obscured. As a result, in some cases, they are no longer able to provide the basis for an effective planning framework for today's fast-changing society. The system must therefore be improved in order to enable planning as a whole to become more effective in managing the development process. That is why I intend, as part of the overall package of planning reform, to bring forward proposals for a new local development plan system, with the key aim of speeding up the whole process through plans that are more streamlined, quicker to prepare, more strategic in nature and, importantly, more responsive to change. However, that will inevitably take time to achieve. In the interim, I want to ensure, as far as possible that, when significant economic development proposals

come forward that are clearly in the public interest, they are not unnecessarily stalled.

The Planning Service is already giving consideration to available procedural options where such strategic issues arise. For example, district officials in Omagh and Strabane have engaged with Invest Northern Ireland and the local councils to identify shortages of land for economic development and, where that occurs, to actively participate in bringing forward suitable solutions. The article 31 planning application process provides a mechanism through which suitable proposals can then be considered by the development management system rather than delaying matters pending preparation of a new local plan. I highlighted the success of that approach, which is linked to the excellent work of the strategic projects team in Planning Service headquarters, in my earlier statement in May. That method helped to deliver development proposals such as the Coca-Cola all-Ireland headquarters at Lisburn.

I also have concerns about prospective significant economic development proposals being frustrated through the inappropriate application of prematurity considerations in places where new draft plans have been issued but not yet adopted. I appreciate that prematurity is clearly an important consideration in areas in which considerable work has been undertaken to produce new draft plans. However, it is only one of a number of factors to be weighed by the Department in reaching its decision on individual proposals. Other matters, including the planning history of a site, distinguishing factors and administrative fairness must also be considered.

It is clear that, immediately following the publication of the joint ministerial statement in January 2005, officials made extensive use of prematurity considerations in determining proposals, which often resulted in a refusal of planning permission. Since that time, however, more thought has been given to the approach that is adopted. As a result, it has been considerably refined.

*10.45 am*

To reinforce that position further, I am instructing officials today that prematurity should be employed as a reason of refusal only in cases in which the Department can demonstrate clearly that an approval of planning permission would prejudice or undermine the development plan process or key elements of the plan itself. I am also pleased to advise that such cases have diminished, as, thankfully, most draft area plans are now progressing well towards their ultimate adoption.

I am confident that the clarification that I am providing today, together with my statement of 11 May, will ensure that there is sufficient flexibility in the planning system to deal effectively with significant economic development opportunities that may arise. Alongside



the determination of the Planning Service to process all proposals in a speedy and efficient manner, that should ensure a positive contribution to our economic recovery.

**The Chairperson of the Committee for the Environment (Mr McGlone):** Go raibh maith agat, a Cheann Comhairle. In reading the Minister's statement, I note that a number of points could be described as a wish list, much of which was already contained in the document on modernising planning. Therefore, I am bound to ask on behalf of the Committee whether a lot of those points are now coming forward by way of a wish list from the Minister because of lack of progress on modernising planning.

Prematurity seems to be a significant matter in the Minister's statement. My question about it is inevitably quite a serious one, and, therefore, the response should be appropriate to that. Has the Department given any consideration to the implications that the Minister's statement will have for those cases and applications that have already been refused?

**The Minister of the Environment:** To take the first point, I have expressed my disappointment with progress on the planning reform proposals many times in the Assembly. When the proposals were put forward in the issues paper, they gained widespread support among Members and did not attract any adverse comment from Ministers. The proposals also gained wide support not only in the development industry but from a lot of other groups with an interest in planning. Therefore, I am disappointed that I have not been able to progress the planning reform proposals; I anticipated that they would not only have been put out for consultation by now but that the consultation responses would have been received.

As I have also said in the Assembly on a number of occasions — this is not a veiled threat — we are in real danger of losing many of the key elements of the planning reform proposals, including the transfer of planning powers to local councils, if we do not get some movement fairly quickly. I have endeavoured to do what I can to move the proposals on, but they are still stuck with the Executive and the deputy First Minister. I have said that I would seek to determine the changes that can be made without having to secure full Executive assent.

The particular issue under discussion is not linked exclusively to the planning reform proposals, but it was identified as an issue by a number of councils and developers. Indeed, when I looked at some of the reasons given for refusal of some of the major development proposals, a likely impediment was that draft area plans had not been progressed to a stage where they could be used fully.

The Member asked about major proposals that have been turned down already. If a decision has not been made on a proposal or has been deferred or if a proposal is in the pipeline and it has been indicated that the decision would be against it on the grounds of prematurity, then, of course, my statement will be used by those who make planning decisions as a material consideration in dealing with those applications.

The statement can also be used, for instance, when considering future applications or those that are at pre-application discussion level. Therefore the statement will be used when determining new applications and the outcome of those on which a decision has not been made. The Committee Chairperson will know that decisions to refuse that have been issued cannot be looked at, but individuals may see my statement as a signal to review their proposals and make new applications.

**Mr Weir:** I thank the Minister for his statement. Major economic development proposals and planning are significant in Northern Ireland. How will the statement speed up the process of dealing with the economic development proposals? I apologise to some of the Members from rural areas, but will the Minister comment on the progress of the Belfast metropolitan area plan (BMAP), which is, perhaps, the most significant area plan that Northern Ireland faces?

**The Minister of the Environment:** My statement is not designed to speed up the process; it is designed to allow applications that are being refused or are going to be refused by the planning system to be reconsidered, with less weight being given to prematurity. As I said in my statement, often, when an area plan has been drawn up, it has gone through part of the process; views have been expressed on it; and land has been designated for certain purposes. If somebody makes a different proposal, then the prematurity considerations have to be looked at when making a decision on the planning application, even though a final decision has not been made on the area plan.

There is one way in which my statement might speed up the process. Rather than planners not making decisions on applications until an area plan is approved, they may make decisions without waiting for an area plan to go through the full process.

BMAP is a good example, because the process has taken about seven or eight years. Also, land that was designated for certain purposes at the start of the BMAP process has, perhaps, been challenged at the public inquiry, and we are waiting for the Planning Appeals Commission to provide its final report. Where planning applications have been submitted for that type of land, it would have been deemed premature to make a decision on them. Therefore, decisions may have been set aside, which slows down the process, or they may have been refused.

My statement will help to unlock some of that logjam. It is hoped that we will have a response from the Planning Appeals Commission by autumn 2010. Following that, we will adopt the BMAP proposals. It has been a long process, and I suspect that many of the designations and proposals in BMAP are out of date, given the changes in the economic situation.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement. The Minister is not the only person who is disappointed that the reform of planning has not moved forward.

Will the Minister provide a time frame for the approval of the draft area plans? If not, what will he do about the people who have made submissions for development in the interim? They are sitting and waiting. A couple of months ago, the Minister talked about economically appraising proposals. In the absence of approval for the draft area plans, can the Minister do anything to provide opportunities for people to proceed with developments? There are opportunities that we should be taking in the current economic crisis. Go raibh maith agat, a Cheann Comhairle.

**The Minister of the Environment:** I wish to correct a point that I made in my previous answer. I said that the BMAP report was expected in the autumn of 2010; I meant to say summer 2010, so it will be available a little earlier.

The Member raised an important point: this statement is about those area plans. Certain area plans have been held up primarily because legal challenges have resulted in our being unable to progress the plans or because we have had to stop work on them until pending legal challenges have been heard. Where we have been able to negotiate our way out of those legal challenges, such as in the case of the Banbridge, Newry and Mourne area plan or the Craigavon town centre plan, we have done so. Where that has not been possible, plans have been subject to inevitable delays caused by court proceedings.

As I said in my statement, one way in which we might free up some decisions is by giving less weight to prematurity considerations where land designations have been made; where there, perhaps, has been some challenge; and where we would have awaited the outcome of the development plan process. Planners can now make a decision and will be able to give greater weight to economic considerations, except in the situations that I described. If such decisions would undermine the area plan totally, obviously the weight will lie in not progressing with the planning application. However, where planners deem that a decision will not undermine or have a significant impact on the plan, less weight can be given to prematurity than has been the case since the joint ministerial statement of 2005.

As I said, the other way around that issue is for an application to be made under article 31 of the Planning (Northern Ireland) Order 1991, whereby a case can be made for a particular planning application. All the arguments can be looked at, and the Minister, in response to a report from the Planning Service, can make a decision on the application in question.

**Mr Elliott:** I welcome the Minister's proposals; I have long felt that planners have held back a significant economic development. How does the Minister envisage monitoring the progress of his will, so to speak, or his wishes and proposals? Proposals sometimes fall down because there is no follow-up. How will the proposals be monitored in coming months and years?

**The Minister of the Environment:** We have a professional planning service in Northern Ireland. Where clear policy guidance or ministerial direction is given to the planners, they take it on board. I am glad that the Member asked that question because I have always wondered what happens when I, as a Minister, say things. Does it change people's behaviour? Do I actually have influence?

To draw a parallel, I made a statement on 11 May 2009 about giving greater weight to economic considerations, and I have seen that proposal reflected already in some of the planning decisions that have been made. Indeed, if the Member cares to look at the Planning Service's website to see some of the recent planning applications that have been dealt with, he will see references to my statement. I am very pleased to see that I have such influence. That is one way of doing things. Once the divisional planning officers and decision-makers are given clear direction, they take it, and it will begin to filter through.

*11.00 am*

I also want to consider the number of applications that are being turned down because of prematurity. I hope that the number will fall, but I must add the caveat that that depends on the nature of an application. If an application were seen to undermine a development plan, even as a result of this statement, it may be turned down on the grounds of prematurity. However, where there is an argument that applications try to anticipate what the Planning Appeals Commission might say about an area plan, and even if they were granted and did not have a significant impact on the shape of an area plan, I am confident that, from previous experience, planners would follow the instructions that are being given today.

**Mr Ford:** I thank the Minister for his statement. In response to a question from Patsy McGlone, the Chairperson of the Committee for the Environment, the Minister referred to delays in the new planning reform proposals and laid the blame squarely with the office of the deputy First Minister. I will not intervene

in that problem, but I presume that the Minister's proposals for a new local development planning system are contributing to the delay.

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

There are also significant delays in matters that remain solely the responsibility of the DOE. Half my constituency was highlighted by Mr Weir when he referred to the BMAP system. However, Antrim is living with a 1984-2001 plan, and we have not even seen the draft Antrim/Ballymena/Larne plan. Will the Minister assure the House that, notwithstanding the legal challenges, his staff are doing all the necessary background work to ensure that a robust planning system will be in place as quickly as possible? His announcement today can deal only with the interim situation until a proper planning system is in place.

**The Minister of the Environment:** The Member's comments about the delay in the planning reform proposals are correct, since part of the proposals entail not only the movement of development control but councils' ability to deal with local development plans. If the proposals do not reach the public domain for consultation, with legislation being the next step, we will miss an opportunity. Within the next month, we will have to decide whether we can move planning powers to the councils by 2011, as we had envisaged. I have said all this before, so I am not saying anything new. If that cannot be achieved, it will be a great tragedy. Planning powers were to have been a major additional power for councils not only for development control but, much more excitingly, in drawing up local development plans and, subsequently, revising them. I warn the Assembly that during the summer recess, there is a possibility that a decision may have to be taken that we will not be able to progress to the full movement of powers to the new councils in 2011.

I understand the Member's frustration about the Antrim/Larne/Ballymena plan. Representatives of Antrim Borough Council expressed that frustration when I met them some time ago. We have been held up because of the BMAP process, which has left a gap in Antrim's plan. However, there are ways in which that could be addressed.

At the strategic leadership board, we discussed the possibility of taking a number of council areas and allowing the transition committees to do some of the background work for the new local development plans because that would help in trying to identify some of the problems. That would move forward the plan for those areas, meaning that the new councils, when formed, would be able to quickly formalise the new development plans.

That is one way in which the Department could help areas such as Antrim in the interim, but that possibility is precluded by our inability to transfer planning

powers to the councils. However, whether the transfer of those powers occurs before or after 2011, the plan is to ensure that all the councils have those planning powers. There is absolutely no reason why the councils should not get involved with the planners in conducting some of the preliminary work. The Department is gathering the information that will aid and assist that process, in case it decides to go down that route.

**Mr T Clarke:** In his statement, the Minister referred to the "complex legal challenges" being made to some of the development plans. How many of those development plans are subject to judicial review? What impact does the Minister expect those reviews to have on those development plans? When does the Minister expect an outcome from those judicial reviews?

**The Minister of the Environment:** Three development plans are subject to judicial review, and there are other plans that the Department has not progressed because they would be vulnerable to judicial review. Many of the judicial reviews have been taken because no strategic environmental impact assessment was carried out. The way in which we were doing those assessments, including the fact that there was no an independent body to carry them out, was deemed to be inappropriate. The Department has taken that issue to the European Court of Justice to see whether we can find a way around it.

Once local development planning powers have been transferred to the local councils, the Department will be out of the woods. That is because an independent body, the Northern Ireland Environment Agency, will be able to carry out strategic environmental impact assessments. That is another reason why planning powers must be devolved to the councils as soon as possible. Until that is the case, development plans will continue to be subject to judicial review.

What really irks me is that the people who complain about how slow the planning process is are the same people who make the legal challenges that slow it down. If for their own selfish and commercial reasons they want to stop or hold up a development plan, those people use the magic wand of there not having been a strategic environmental impact assessment to secure a judicial review of the plan, which they know will hold up the process. Not only do those judicial reviews slow the process down, they tie up a great deal of my officials' valuable time.

I accept that there are problems with the planning system in Northern Ireland, but if one looks objectively at how the planning system has improved over the past number of years, one will realise that the Department has sought to address those issues. Some of those who complain about the planning system must ask themselves whether they, by their actions, have imposed financial



and manpower costs, as well as costs resulting from time delays.

**Mr McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I have considerable sympathy with what the Minister is trying to do. My interest is in developing the economy, and if people are being agile, imaginative and, in some cases, premature with the propositions or scenarios that they anticipate, it is incumbent on Government to be agile in their response.

The Minister, by introducing the guidelines, has made a contribution. Predictably, some Members will worry about mistakes being made —

**Mr Deputy Speaker:** The Member must ask a question.

**Mr McLaughlin:** The question is whether the Minister has considered how we can speed up the decision-making process for article 31 inquiries. That type of confidence-building measure would reassure people that the planning system is transparent and accountable. There are divisions in the House over the proposed runway extension at Belfast City Airport and over the proposed incinerator at Glenavy, so if decisions were made within prescriptive timescales, that might help to build confidence in the planning system's openness and transparency.

**The Minister of the Environment:** I welcome the Member's remarks. I sometimes think about article 31 planning decisions myself. I plague the senior planning officers in the Department almost weekly. They must provide me with a report about what is happening with article 31 planning decisions and everything else. However, the Member hit on an important point. When dealing with article 31 inquiries, it is important that short cuts are not taken.

The Member mentioned two particular planning applications. If short cuts are taken, those who seek ways in which to stop or delay the planning process until investors decide that Northern Ireland is not worth investing in and take their money elsewhere will look for every little flaw. Many of those people have, for example, demanded public inquiries into those applications. They will check that we have robustly examined all the evidence that has been submitted. Some of the evidence in the kind of proposals that the Member mentioned is very complex and requires close examination. If that is not done, an application for a judicial review will be made. In fact, I have been threatened with a judicial review if certain things do not happen with the two aforementioned proposals. Planners must move with caution while also seeking to move with speed.

If one looks at the Department's record on article 31 inquiries, it is clear that it has moved quite quickly. I have mentioned in the House some of the actions that have been taken. The planning process for an investment of more than £200 million in the hospital for the west

of the Province was completed in under six months. The Titanic Quarter signature project and the relocation of the Public Record Office of Northern Ireland (PRONI) building are multimillion-pound developments for which the planning process was also completed in under six months. I could go on.

We have sought to speed up the processing of article 31 inquiries, but we must be very careful. Those projects have often been subject to such an inquiry because they are fairly controversial. If they are not dealt with properly, and all the detail is not considered, the Department will be doing no one a favour. If a mistake is made, and a planning application is referred to the courts, it could be tied up there for three years. A balance, therefore, must be struck. I do not want the Department to be accused of cutting corners and, as a result, ending up in the courts.

**Lord Morrow:** I welcome the Minister's statement, in so far as it goes. Having listened to the statement and the Minister's replies to questions, one thing is very clear. We live, work and operate in a red-tape, bureaucratic state. Is the Minister telling the House that that is now at an end? Are we working towards having a product that is fit for purpose? As I read through the statement, there is much merit in its contents, but can the Minister assure the House that, as the head of the Department, he is determined to tackle red tape in his Department and give people a system that is fit for purpose?

**The Minister of the Environment:** There is not only a determination on my part. Many of the proposals brought to me come from professional planning officers, who equally want to contribute to getting investment into Northern Ireland.

The Planning Service has urged me to accept and implement measures to remove red tape. The streamlining of minor planning applications was developed by professionals in the planning system who identified ways of reducing the level of bureaucracy. As a result, the processing time for planning applications that go through the streamlining process has been reduced from around 84 days to 28 days. That is a good example of where people from inside the system have sought ways of reducing red tape.

11.15 am

Professional planning officers also suggested that applications could be speeded up by introducing pre-application discussions, in which the Department meets all the consultees and gives advice to applicants to help them ensure that the planning application goes through quickly. The Department tells applicants all the stuff that they should have when they present a planning application and how it should be presented. If they take that advice, they are guaranteed a six-month return through the system. That is another way in which the Department has sought to reduce red tape, and it has been fully endorsed and embraced by the planning system.



I am sure that Members could quote examples of what they feel was pettiness and slowness. I have no control over consultees. Especially after the meeting that I attended at 9.00 am today, I could indulge myself by blowing my top about the way in which some consultees respond. The consultees I met earlier are outwith my Department; I wish that they had been part of my Department, because I could have got crosser with them.

Improvements need to be made to the system, but for the first time ever, the planning system has not only met but exceeded all the targets that have been set in the Programme for Government for processing times for minor, major and intermediate applications. That is an indication that we are moving forward. Improvements are still to be made and people still need to be pushed, but we are, at least, getting the right mood and putting some of the policies in place.

**Mr O'Loan:** I welcome the Minister's efforts to create a planning system that is more conducive to economic development. I note with alarm what he said about planning reforms being blocked and possibly jeopardised by Sinn Féin.

How can the Minister say:

"thankfully, most draft area plans are now progressing well towards their ultimate adoption"?

In my area, the northern area plan and the Antrim/Ballymena/Larne area plan appear to be totally blocked, and matters are now moving to the European Court of Justice. I take a particular interest in tourism schemes, both those that are of regional significance and those that have local economic significance. Many good schemes are being unreasonably held up and prevented at times by the planning system.

**The Minister of the Environment:** The Member has probably misquoted me. I made it clear that there are a number of area plans that we are not progressing and cannot progress. He is quite right to say that a judicial review was successfully taken against the northern area plan and that the case has gone to the European Court of Justice. It is likely to be tied up there. That is outwith my Department's control, and the same applies to the Antrim/Ballymena/Larne area plan. In an answer to Mr Ford, I explained that, where a plan is really out of date, the Department is trying, through the transition committees, to move on and to at least get the groundwork done for a new plan that local councils will be able to undertake if and when the planning reform proposals go through the Executive.

As far as tourism is concerned, I hope to bring forward PPS 16 fairly soon. It is yet to be finalised, but it should include a presumption in favour of tourism development in settlements. It will also make provision for some tourist facilities at appropriate locations in the countryside. Some of the major tourist developments have already come to me as article 31 applications.

Once we had all the information on the Giant's Causeway, we were able to progress the decision quickly. That decision has now been made. It was made in the face of a threat of judicial review; we did not shrink from that, because an important tourist facility was required. Consider the tourism signature projects: the Titanic Quarter, the Giant's Causeway and a number of other proposals. We moved those forward fairly quickly.

There is a good thing about the powers that local councils will have. I like to dangle this carrot in front of Members, because I know that they all want to see these powers go to local councils. I hope that by doing so, I am offering a golden opportunity to bring about a positive resolution to discussion on planning reform. The Member is concerned about tourism in his area. It is in the interests of every party to progress towards a situation where, at a local level, a council that knows exactly the needs of the area will be able to shape the future. It can have a vision for the area, put it into a local development plan and shape what happens. That is the reward for getting the planning reforms through the House. I hope that we do not lose this opportunity as a result of esoteric arguments that go on within particular political parties.

**Mr Ross:** I thank the Minister for his statement. In response to Lord Morrow, the Minister has already detailed some of the actions that the Planning Service has taken to improve its performance. Perhaps the Minister could tell us specifically about the role of the strategic projects team at planning headquarters.

The Minister knows that I tried to ask this question on Thursday: there are proposals for a 20% increase in planning fees. How can he justify that at a time of economic difficulty? Is a 20% increase in fees a good move at this time?

**The Minister of the Environment:** There are now two strategic projects teams at headquarters. They have been created specifically to handle major strategic economic and investment proposals. As I have explained in previous responses, the process is that those teams talk to developers, and they should bring all the consultees to the table.

I do not claim that the system is perfect. I have received criticisms of it from developers who have come to see me and I have spoken to the managers of the strategic projects teams about that. I must also say that I have received some very complimentary comments from developers about the teams and their very positive attitude. I have mentioned some of their successes. One of their successes that did not receive much publicity last Friday, though the Minister of Enterprise, Trade and Investment commented on it, was that in four months, one of the strategic projects teams was able to clear a 700,000 sq ft development at Bombardier, which represented an investment of £300 million.

That is the kind of work being done by the strategic projects teams. We sometimes become fixated on complaints. Of course, people come to us, as their public representatives, and tell us when things go wrong; they never come and tell us when things go right. Therefore, although we complain and whinge about problems, we do not celebrate successes.

With respect to the increase in planning fees, I make the point that those fees have not been increased for four years; even during the boom years they were not increased. There were several factors involved in deciding to increase the fees: first, costs have risen during those four years; secondly, there has been a fall in fee income as a result of the recession; thirdly, when the Department compared the fees in Northern Ireland with those in other parts of the United Kingdom, ours were significantly lower — in some cases, for major housing schemes, they were hundreds of thousands of pounds lower. I had to make a decision: did we want to start dismantling the expertise in the planning system when the demands from inside and outside the Assembly are to reduce the number of undetermined applications and processing times and be in a position, when the economic upturn comes, to deal quickly with the demands that that upturn, and planning reform, will bring?

When I looked at that question, and the fact that the Department has sought to make significant savings in the system and look for additional money where possible, I decided that I would not be thanked were I to reduce the number of professional planning officers and leave the system unprepared to deal with the economic upturn when it comes.

I was also mindful that councillors and councils continually come to me, and, indeed, to every other Minister who is handing over a service, to say that they hope that I will not be handing over an under-resourced service, which will mean that they will have to impose a burden on ratepayers. I tell the House that if I were to hand over a Planning Service in 2011 with around 20% fewer planning officers, the very people who complain about my putting up planning fees would have to find the money to recruit more planning officers and would be calling me a conman. I would be accused of handing over an under-resourced service and doing so deliberately, rather than making tough decisions.

For those reasons, I believe that the increase in planning fees is necessary. I do not believe that it will be draconian. I ask Members to bear in mind the level of fees that I am talking about: for a single dwelling in the countryside, it will be an additional £100 or £150. If someone spends £100,000 to build a new house, I do not believe that that person will stop building because he or she must pay a further £150 on planning fees. Of course, if I could have avoided the increase, I would have done so. However, for all the reasons that I have given, I believe that it is justified.

**Mr Shannon:** I thank the Minister for his statement. Undoubtedly, planning reform is needed urgently; every Member who also wears a hat at council level will be aware of that. I commend the strategic projects team, with which I have had meetings, for its work. It has delivered. Will the Minister confirm that the quality of service will be the same throughout the Province, whether it is Ballymena, Omagh or Downpatrick, and that every area will be subject to the same regulations, reform and rules that apply elsewhere?

As regards applications under article 31, which the Minister mentioned in his statement, sometimes referrals are hindered, halted or delayed because the Planning Service has not provided paperwork to the Planning Appeals Commission (PAC) quickly enough. Will the Minister confirm and reaffirm, if necessary, that the progress of appeals under article 31 through the PAC will proceed with urgency?

11.30 am

**The Minister of the Environment:** First, as regards the uniformity of service across Northern Ireland, the level of work and the quality of any service or determination that the two strategic project teams carry out, whether it be in Ballymena, Ards or Omagh, will always be the same. The teams are located at planning headquarters, not in divisional offices, and they work Province-wide.

Secondly, it is difficult for me to give an assurance on the outcome of an application under article 31 when it is decided that the Department should not determine the outcome of that application and that it should be the subject of a public inquiry. However, I suspect that the Member is referring to the three planning applications for shopping centres in Newtownards.

The Planning Appeals Commission — this is where I do my Pontius Pilate act — does not come under the remit of the Department of the Environment; rather, it comes under the remit of the Office of the First Minister and deputy First Minister. Therefore, I can, thankfully, say that I do not have any control over the Planning Appeals Commission, which jealously guards its independence. Even though additional resources have been given to the Planning Appeals Commission, there are long waiting times. However, the commission sometimes asks the Department whether it wants priority attached to a case that it has sent to the commission; so, we have some input. If we in the Department deem an application to be particularly important, we ask that it be given greater priority. Given the time that it has taken under the article 31 process to make a determination on the planning applications for three shopping centres in Newtownards, I specifically requested that the Planning Appeals Commission give some priority to them. I understand that they are now third on the commission's list of major planning applications to be dealt with.

## EXECUTIVE COMMITTEE BUSINESS

### Budget (No. 2) Bill

#### Second Stage

**Mr Deputy Speaker:** The Speaker has been advised that the Minister of Enterprise, Trade and Investment will move the Second Stage of the Bill on behalf of the Minister of Finance and Personnel.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I beg to move

That the Second Stage of the Budget (No. 2) Bill [NIA 8/08] be agreed.

I shall briefly draw attention to a few key points and the general principles of the Bill. As Members know, the Supply resolution was debated at length and approved yesterday, and that was followed immediately by the Bill's First Stage. Following on from the February Vote on Account, the Budget (No. 2) Bill provides the balance of cash and resources to complete the Department's requirements to enable the delivery of services in 2009-2010 as currently planned.

For logistical reasons, accelerated passage is needed to ensure that Royal Assent is granted in July, thereby ensuring that Departments and other public bodies have the legal authority to spend the cash and use the resources for the remainder of 2009-2010 without any delay. I am glad that the Bill can be given accelerated passage because the Committee for Finance and Personnel has confirmed that, in line with Standing Order 42, it is satisfied that there has been appropriate consultation with it on the public expenditure proposals in the Bill. Once again, I welcome and appreciate the part that the Committee has played in progressing the Bill.

The purpose of the Bill is to give full legislative effect to the 2009-2010 Main Estimates that were approved yesterday through the Supply resolution. Copies of the Main Estimates volume, the Budget (No. 2) Bill and the explanatory and financial memorandum have been made available to Members.

For the benefit of Members and in accordance with the nature of Second Stage debates, as envisaged under Standing Order 32, I will briefly summarise the main features of the Bill. The purpose of the Bill is to authorise the issue of a further £7,566,927,000 from the Northern Ireland Consolidated Fund and the further use of resources totalling £8,311,830,000 by Departments and certain other bodies. Those amounts are in addition to the Vote on Account that the Assembly passed in February. The sums to be issued from the Consolidated Fund are to be appropriated by each Department or public body for services as detailed in column 1 of schedule 1 to the Bill, while the resources are to be used for the purpose specified in column 1 of schedule 2 to the Bill.

In addition, the Bill sets for 2009-2010 the limit on the use of operating and non-operating accruing resources, and schedule 2 specifies the purposes for which they may be used. After the Bill receives Royal Assent, under section 8 of the Government Resources and Accounts Act (Northern Ireland) 2001, the Department of Finance and Personnel will lay a minute in the Assembly that specifies the accruing resources within the limits set in the Bill and that directs their use.

Clause 2 authorises the temporary borrowing by the Department of Finance and Personnel of £3,783,464,000, which is approximately half the sum authorised by clause 1(1) for issue out of the Consolidated Fund. That limit prudently allows the Department of Finance and Personnel (DFP) to efficiently and effectively manage the cash during 2009-2010. However, I must stress that it does not provide for any additional cash to be paid out of the Consolidated Fund or convey any additional spending power.

The daily management of cash is an important function of DFP. That function allows it to supply cash to Departments daily to enable services to be delivered and, at the same time, ensures minimum drawdown of the Northern Ireland block grant from the Northern Ireland Office. Finally, clause 5 removes two Budget Orders that are no longer operative from the statute book.

Yesterday, I was unable to respond to two issues that Members had raised, and I said that I would address those today. Mr Attwood and Mrs Bradley asked about the childcare strategy and PlayBoard. The paper on childcare provision is one issue that the ministerial subgroup on children and young people is considering. That group will meet again this week. Furthermore, I understand that the Office of the First Minister and deputy First Minister has requested the transfer of £350,000 of its existing provision to the Department of Health, Social Services and Public Safety to enable the PlayBoard projects to continue.

Dominic Bradley raised the issue of the cost of the unregulated transfer system. The Department of Finance and Personnel is not aware of any direct costs that fall to the Department of Education as a result of its failure to establish formal arrangements for the transfer of children from primary school to secondary school. That does not mean that there are no costs: parents must pay for tests, in particular those set by the Association for Quality Education, and any subsequent legal challenges may have cost implications. It is of deep regret that parents and schools have been forced to incur additional costs because of the Minister of Education's failure to recognise their concerns about transfer.

I return to the Bill to conclude. I said earlier that the Budget (No. 2) Bill reflects the additional cash and resources that are required to facilitate Departments' detailed spending plans as set out in the 2009-2010



Main Estimates. I will not use any more time on the substance of the Bill, but I am happy to deal with any points of principle or detail that Members raise.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. At its meeting on 27 May 2009, the Committee took evidence from senior DFP officials on the Budget (No. 2) Bill, the general principles of which the House is now debating. The Bill authorises departmental spend for 2009-2010 of resources and associated cash requirements based on the second-year spending plans of the Executive's three-year Budget for 2008-2011, which the Assembly approved in January 2008.

Assembly approval of the Bill provides the legal authority for the balance of resources and associated cash requirements as detailed in the Main Estimates for 2009-2010, which we debated yesterday. The Committee was briefed by the Minister of Finance and Personnel and, on several occasions, senior DFP officials on the Executive's draft Budget for 2008-2011. Moreover, the Committee sought submissions from other Statutory Committees before it published a Committee report on the draft Budget in December 2007. The Committee subsequently received a formal response from DFP and was briefed by departmental officials about the final Budget in January 2008.

During their briefing about the Budget (No. 2) Bill, DFP officials informed my Committee of the reasons for the differing figures in the Budget and the Estimates. I refer to that mainly because the anoraks who will read the document may find it of some interest. My Committee was given an explanation of why the figures are reconcilable, particularly given that the same source data are used for the Budget and the Estimates. Indeed, officials subsequently provided the Committee with a helpful paper to demonstrate that fact.

The Committee is aware of the consequences for departmental spend and the potential effect on front line services should the Bill not progress through the Assembly before the summer recess. I reinforce the Minister's comments in that context. The Committee was consulted and is satisfied that it has been appropriately consulted about the public expenditure proposals that are contained in the Bill in accordance with Standing Order 42(2), and it is content that the Bill can proceed by accelerated passage. I wrote to the Speaker on 27 May on behalf of the Committee to confirm that.

There is an issue that has exercised the Assembly on occasion. Members will be aware of the differences of opinion that have been expressed about the respective merits of the Executive holding a formal Budget process annually, as compared to the current three-year arrangement that allows for adjustments through the

in-year monitoring rounds. This is particularly important in the context of changing economic circumstances.

My Committee is undertaking an inquiry into the scrutiny of the Executive's Budget and expenditure, stage one of which culminated in an agreed Committee submission to the review of the Executive's Budget process in October 2008. That submission contained 10 recommendations to be considered by the Department of Finance and Personnel in its review of the Budget process.

Departmental officials were expected to report to the Minister of Finance and Personnel by the end of October 2008 on the outcome of that review. However, I understand that the report has yet to be completed because of work pressures. I would, therefore, welcome an indication from the Minister of when the report on the review of the Budget process will be available to my Committee and when the Committee will receive that formal response on the recommendations made in its submission. That would enable the Committee to proceed to stages two and three of its inquiry.

**Mr G Robinson:** I congratulate the Minister of Finance on the work that he has done in balancing the books. That is a difficult task at any time, but during an economic downturn it is obviously even more difficult. The Assembly must recognise that the Minister has achieved a tremendous feat.

Despite what some Members think, the monitoring rounds enable the Northern Ireland Budget to maintain flexibility. The importance of that cannot be overestimated, as funds can be redirected to the Departments where they are needed as a matter of urgency. That is called proactive and prudent financial management. I hope that all Members agree with those two terms and further agree that they are essential for good governance in general.

As the Minister said yesterday, more than £3 billion of social security benefits will be administered during 2009-2010, which, unfortunately, is essential in these times. Some £45 million for the provision of newbuild schools is also available. Furthermore, as a member of the Committee for Regional Development, I welcome the expenditure on upgrading the Londonderry railway line and Northern Ireland Railways rolling stock.

The provision of new schools and the updating of transport infrastructure are positive means of ensuring that Northern Ireland has a strong selling package for investors as they begin to invest with the upturn in the global economy that will eventually come. Again, it shows how the Minister and the Executive have come up with proactive and viable investments that have helped reduce the impact of the recession in Northern Ireland, while putting us on a good footing for the future.

I support the motion.



11.45 am

**Mr B McCrea:** It is a pleasure to follow George Robinson, because he has given me so much to work with.

It is a pity that the Minister of Finance and Personnel is not present, because there are issues that require his attention. I am not sure of the reason for his absence, but all will undoubtedly become clear in the coming days.

George Robinson referred to the flexibility of the monitoring rounds and how they are an excellent system for managing our finances. However, I have heard that no bids will be taken for the June monitoring round because no money is available; that raises the question of whether the block grant in its entirety is overspent. We need to know about that. I realise that we are in trying financial times and that the recent election has changed the political landscape; however, if we are to deal coherently and cogently with the issues before us, we also need openness and transparency. We need to know the extent of the problem, and we must find a collective way of responding to it. It is a pity that we will not be able to meet many of the objectives of the Programme for Government; however, we must face the reality that many of the targets that we set will not be met. The Budget that is tied to those targets must be amended to reflect that reality.

It is important also to recognise the political pressures that are on this place. If the new Minister of Finance and Personnel, whoever he or she may be, maintains an inflexible and rigid approach, the people will begin to wonder about the purpose of this place. How can we respond effectively to the challenges that we face? A Budget should be a living document that is open to change and adequately reflects the events that affect us. If, as announced, the Chancellor postpones the three-year spending review, given the inflationary pressures that have entered the economic equation, it would be wise to plan for block grant cuts being brought forward from 2010 to 2011. Why would he postpone that review otherwise?

There will be cuts. Public sector cuts are regrettable, but they are not just an option: they are the only option. We must recognise that we are attempting to spend more than we earn, and, ultimately, that will be a problem for all of us. It gives me no pleasure to say that we owe it to the people of this country to explain that that is a reality and that we must ask for their support in trying to get the best value for money for all the people of Northern Ireland. To say anything else is misleading. The people have had enough of politicians being economical with the actuality.

As the Shadow Chancellor, George Osborne, said, the big discussion in British politics must be about how we intend to deliver quality public services when money is tight. We will have to make tough decisions, and we will have to insist on getting better value for

money. That cannot be done while people throw political brickbats at one another. Tough decisions require genuine leadership from us all.

The real division in politics, which is as true of Northern Ireland as it is of the whole of the United Kingdom, is not between cuts and investment but between honesty and dishonesty. The Executive pledged to make economic development the top priority of the Programme for Government. That commitment predated the onset of the recession, but it has become all the more relevant. Moreover, the public and economic stakeholders are watching to see whether the Executive put their money where their mouth is. Innovative responses to the downturn from the economic Departments, specifically DEL and DETI, deserve favourable treatment in any of the monitoring rounds to which George Robinson referred.

The entire process ultimately concerns character. How can we, the politicians, reconnect the political system with a public who have lost faith in it? If we do not tell the truth about the Budget, what hope do we have of gaining the public's trust whenever we are dealing with the other, more challenging issues that face this place? Perhaps that is all that we can expect from people who double- and treble-job. Those people have so little regard for the public, they pretend that they can be in two places at once and that they can do two or, on occasion, three jobs at the same time.

If we do not tell the truth about the Budget, we will not begin the process of rebuilding the electorate's trust. It is a matter of competence.

**Mr Weir:** Despite the Member's remarks being a slight dig at double- and treble-jobbing, I will try not to throw brickbats. The Member highlighted rightly that the division or choice is between honesty and dishonesty and about transparency and being honest about the Budget. He also highlighted the need to have a tougher financial regime and the need to make cuts in the future. Given that many general points are made on the subject, on the basis of honesty and transparency, what areas does the Member believe should be cut from the Budget? It is easy for all of us to come up with a wide range of areas on which we would like to see more money spent. What services would the Member be willing to see being cut from the Budget, and from which Departments would he be willing to see finances cut?

**Mr B McCrea:** That raises the old canard about whether cuts are optional. If there are to be no cuts, we can carry on regardless. I say to the Member and to the House that there will be cuts, even if they are cuts that are made in real terms as a result of inflationary pressures.

I am familiar with the Department of Education, and I see that, during the previous financial stocktake, in both years, some £100 million was missing from what

was required and what was available. I believe that I am right in saying, although I stand to be corrected, that there was an issue with a further £100 million of the capital budget. The point is that these are —

**Mr Hamilton:** I thank the Member for giving way. Does the Member agree that some of the figures submitted by the Department of Education to the strategic stocktake are somewhat dubious, particularly the request for fuel costs? I believe that the stocktake considered £8 million of additional fuel costs in each of the two years. That was at a time when fuel costs were going down and when they were at a lower level than was set in the original Budget. Does the Member agree that, in regard to that particular point, other costs that the Department of Education submitted and other Departments' submissions to the strategic stocktake are, when scrutinised, not up to scratch and are not pressures at all?

**Mr B McCrea:** I will attempt to deal with the points made by both Mr Weir and —

**Mr Hamilton:** The other one. *[Laughter.]*

**Mr B McCrea:** The future Minister.

**Mr McCallister:** Which one?

**Mr Weir:** I know that you are understudying for David McNarry, but — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr B McCrea:** Thank you, Mr Deputy Speaker. I realise that I am dealing with two prospective Ministers. I should have made myself clearer.

That is quite a serious issue. I think that it supports our argument, which is that in order to make savings we need to scrutinise each and every Budget to see where money is being spent unwisely, where better efficiencies can be taken on board, or where the political or economic situation has changed.

The problem that I have is that, in the past, we were spending £60 million to £70 million in the education sector to make provision for teachers to take early retirement. That, in turn, provided a way of allowing new teachers to come into the profession. However, this year, only £8 million is available, which means that we will have to have compulsory redundancies. Therefore, when one looks at the scale of the problem that Mr Hamilton mentioned, there are issues for us to examine. However, there is a bigger picture that we must address.

I return to the point raised by Mr Weir. There will have to be cuts; I am sorry, but I see no other way of finding money. It would be great if people were to tell me that there is money coming along and that we will not suffer any downturn in the comprehensive spending review or any of the efficiencies that are implemented. However, prudence dictates that we plan for the future.

I am not seeking to shirk responsibility; instead, on behalf of the Ulster Unionist Party, I am trying to say that the problem is one that all Members must share. I have resisted the temptation to throw brickbats. I could have said that there has been a litany of disasters and that wrong decisions were taken, but that would get us nowhere.

There is a question about whether we are genuine in our attempts to engage in a positive and constructive manner. Despite our differences we have to act sensibly, because the whole political establishment is in disrepute. Therefore, we have an opportunity to take a sensible course and admit that the recession has blown the Budget completely off course. The Finance Minister has an opportunity to come clean and tell the public what has to be done, and it is right and proper that we examine the new Budget and find a way of saying what parts are sensible and what parts we are not sure about. That is the purpose of this place, and, to use the words of a Minister in answer to a question from me yesterday, I ask people not to have a knee-jerk reaction. This is a genuine attempt to offer a solution for the future.

As George Osborne said, perhaps the most important lesson that politicians need to learn is that, if we tell the public the truth and talk honestly about the measures that we are taking and why we are taking them, they will respect that honesty and support us. That applies to all of us.

Real choices have to be made about public spending. Certain areas, such as health, need to be ring-fenced from cuts, because we are already falling far behind the rest of the United Kingdom to the tune — I know that Members have heard the figure before — of £300 million a year. We need to have a well-informed public debate about budgetary priorities, and we need to take the public into our confidence; after all, it is their money. How will that happen if the Finance Minister will not even take the Assembly into his confidence? How will that happen if the Finance Minister, with the First Minister behind him, refuses even to contemplate revising the Programme for Government?

I have sought to offer a sensible, cogent and reasonable way forward, and I look to other Members to respond in kind.

**Mrs D Kelly:** The SDLP has serious concerns about the Programme for Government and the Budget. We remain concerned about the extent to which the Budget was predicated upon efficiency savings and asset sales that have not been realised. That has led to major concerns from organisations and sectors about subsequent cuts in front-line services. I will primarily look at the stated objective in the Programme for Government to build a fair, inclusive and shared society, particularly in light of the disgraceful scenes last night on the Lisburn Road and the attacks on migrant workers in the area.

Members will know that the cohesion, sharing and integration strategy is some 20 months behind schedule and that significant funding has been set aside for its implementation. How will that money be ring-fenced to promote the action plans that will result from the strategy? I have held meetings with the Community Relations Council and others who are dismayed that the strategy that they are working to is four or five years out of date. As a consequence, new and innovative projects that do not fit the criteria do not receive funding, whereas some projects that are not as effective in tackling problems continue to receive funding. Society is, therefore, being held back from tackling sectarianism.

*12.00 noon*

After the recent, brutal murder of Kevin McDaid, the First Minister and the deputy First Minister said that they would take the lead in challenging sectarianism. That has not been the case, as is evidenced by OFMDFM's failure to introduce a strategy to tackle that evil, which is so prevalent in society. Moreover, how will poverty and exclusion be tackled, given that only last November or December we were told that rather than introduce a devolved strategy to tackle poverty, OFMDFM had accepted the direct rule anti-poverty strategy? How will moneys be protected? What new thinking will appear in the Programme for Government and the priorities for Government to help those on the margins of society? By that, I mean people who suffer most from economic deprivation and who live in areas that are often under the jackboot of fascists from their own community, as was seen last night.

The victims' sector has concerns about funding in the Budget. We recognise that additional funding has been set aside in the Budget for victims' groups. However, in the absence of a strategy and work plan for the Victims' Commissioners and of OFMDFM's strategy for victims and survivors, the sector is scratching around to try to find ways in which to spend the money. Therefore, how is the Minister of Finance and Personnel ensuring value for money and improved outcomes for the people who matter most?

Given the economic constraints under which the Assembly is now working, I would be grateful if the Minister could give some guarantees that each Department has set aside and ring-fenced in its budget its contribution to the implementation of Peace III. The Minister will know that very few, if any, of that programme's initiatives will be 100% funded. From where will the additional money come, and is that money guaranteed? The Peace III programme, as Members will know, concentrates on reconciliation and on building a better future. Therefore, I want to know how the programme is being protected.

There are also delays with OFMDFM's sustainable development strategy and action plan. What funding, if any, does that strategy now have and what priority for Government is it afforded, given that, two years into the Programme for Government, no strategy has been announced, launched or consulted on? What impact will that have on the economy and the environment?

My contribution has mainly taken the form of questions, to which I hope the Minister will be able to provide answers.

**Dr Farry:** I will try to resist the temptation to repeat my remarks of yesterday or, even worse, as Basil McCrea did, to read out David McNarry's remarks from yesterday.

It is important that we are constructive and look to the future. We must be mindful that the years ahead will be very difficult. I wish to correct some points that Members made by emphasising that we have a clear Budget settlement through to 2011 as part of the three-year CSR, which I believe that the Government will honour. The focus of uncertainty is what happens after that. There is no doubt that stringent cuts will be made right across the public sector, and Northern Ireland will take its share of those cuts.

We do not necessarily need to listen to the advice of George Osborne when it comes to the economy. I am very much a Vince Cable man myself. His commentary and record in recent months stands up to scrutiny extremely well. There is a number of options open to Her Majesty's Government to manage the current debt burden. Cuts are one option, but changes to the taxation system should also be considered. It is important that a rounded approach is taken.

A major theme in the current discussion is how the tight budgets that we face should be addressed. We do not have the flexibility or capacity that is necessary to deal with the economic downturn and prepare for economic recovery. The day of reckoning, with respect to further efficiency savings or cuts — call them what you will — is coming for Northern Ireland. Members rightly want to protect front line services, and our party has been challenged by Ministers from all sides of the House to come up with proposals. That is fair, and we will rise to that challenge.

The imperative of finding savings is not simply to deal with the crunch that is coming to public finances; it is about trying to ensure that Northern Ireland's public finances are placed on a much more sustainable footing. The public expenditure statistical analyses, which are published every year, show that Northern Ireland's expenditure profile is different to that in other regions of the UK. There are good reasons for some of the differences, such as our geographical position and the profile of our population. However, not all the differentials can be justified. We need to pay more



attention to that and to find out what we are doing wrong and what we could do better. The figures illustrate the historical underinvestment in our transport system, which continues today. However, expenditure in our education system is well in excess of that in other regions.

Members will know that the Alliance Party has regularly highlighted the structural problem relating to the cost of division in our society. The cost of division can be examined in economic, human, social and, even, environmental terms; I will focus on the financial aspect today. The financial cost of division is potentially £1 billion per annum. That figure comprises the direct costs of dealing with division; the indirect costs of duplicating goods, facilities and services; the cost environment to which Departments and agencies have to respond; the situation on the ground that creates expenditure distortions; and the opportunity costs of lost investment, lost tourism or problems with the labour market.

Some costs relate to devolved matters, while others do not. A major part of the increased cost involves policing and justice. In the short term, there are major pressures that Her Majesty's Government will have to address if the devolution of policing and justice is to be successful in the coming months. In the longer term, we all need to acknowledge that aspects of policing and justice need to be handled differently.

The Deloitte report pointed out that we are spending £1.5 billion per annum, potentially; a figure based largely on a macro analysis and comparison between Northern Ireland and Wales. I freely admit that the figure is nowhere near £1.5 billion when the facts are broken down at the micro level: indeed, the report properly addressed only the direct costs and the opportunity costs of division. My party and I accept the document's flaws, but it is a useful report that points to further conversations that we need to have.

I appreciate that for various historical reasons, some parties in the Chamber have great difficulty with the Deloitte report. I do not want to labour the point, but Sinn Féin is the party with the greatest concerns. Yesterday, Mitchel McLaughlin commented on the potential to make savings from having shared services on an all-island basis, and my party has no difficulty with that in principle. We have clear constitutional prohibitions regarding the Northern Ireland people's consent to any change in the constitution. That aside, I freely admit that the existence of a border on the island of Ireland causes distortions to the economy and to the delivery of certain social goods. More should be made of the institutions that exist to address those issues.

Equally, there are opportunities outside the context of those institutions where progress can be made, and my party is more than happy to engage in conversations on

that issue over the coming months. Therefore, a helpful contribution is being made. It is also important that Sinn Féin recognises that the divisions in Northern Ireland's society have a financial cost, which creates problems for the efficient delivery of services. It is important that Sinn Féin engages in a conversation on that issue. It is not a situation where it is the only show in town.

This morning, the Alliance Party published its proposals on how to deal with the cost of division. They are available on our website, and we have given copies to OFMDFM and DFP. We have made 22 recommendations on how the Government can take action to begin to address the issues. The Deputy Speaker will be pleased to hear that I am not going to read out the report, but I will comment on some of its ideas. As tempting as it is to go into the specifics of finances at this stage, it would consist of nothing more than writing figures on the back of an envelope.

It is important that we start by addressing what is good in the Deloitte report and then identify the gaps and show how Deloitte's starting point can be progressed by the Government. It then falls to Departments to take up any of our recommendations if they feel that they are of merit and for civil servants to carry out formal appraisals to find out whether savings can be made around some of our ideas.

As the poor opposition party in the Chamber, we are limited in the resources that are available to us, particularly on detailed financial issues. Therefore, at this stage, rather than overreaching, we are talking about general concepts. I will set out some of the ideas. First, Northern Ireland needs a clear central formal policy to deal with good relations, whether it is through a shared future, or cohesion, sharing and integration. It is not good enough for OFMDFM simply to invest more money in good relations, which it has done, in the absence of an overall policy that guides how that money can be spent.

I take the point that dealing with divisions in Northern Ireland cannot simply be about tackling the costs at one end. The underlying reasons for the divisions must also be addressed. That is an important starting point.

The Government need to recognise formally that the financial costs of a divided society is an important aspect that they must address. Some Ministers have acknowledged that informally, but it is not part of formal Government documents, the Programme for Government, the Budget or Departments' efficiency delivery plans. We still have time to begin some of that work in the current comprehensive spending review period, but we should be looking forward to the next comprehensive spending review period, when the real challenge will come from central Government.

We need to start with the Deloitte report. I appreciate that it has been disavowed by OFMDFM, but it should



be brought back in. Although the report is flawed, OFMDFM should bank it as a starting point. Further research is needed. We advocate that a formal audit be carried out of the communal background of people who use different goods, facilities and services, because there is strong anecdotal evidence that there are major differentials in certain parts of the community in Northern Ireland in respect of usage. Furthermore, barriers have been erected, and people do not always use the facility that is nearest to them. People go out of their way to use a facility that is further away because, for various reasons, they feel safer doing so. That type of problem is highlighted in Brendan Murtagh and Peter Shirlow's research.

We should also set ourselves a goal of trying to address the £123 million in efficiency savings that is needed over the next two years and find out whether we can meet some of the savings from initial work in this area. All Departments should have a clear duty to encourage desegregation and to promote sharing, and we already have equality monitoring in the proofing of new policies. It would be an easy step to move to "sharing proofing" to find out whether a policy promotes sharing or further entrenches segregation and all its financial implications.

However, we must be straight and face up to the cost involved in trying to move towards sharing and away from segregation. It must be accepted that, in some cases, initial oncosts may be incurred through providing new facilities upfront before being able to address the rationalisation of existing segregated facilities. However, all new facilities should be built with the explicit objective of promoting sharing through public use.

12.15 pm

OFMDFM has an important co-ordinating role to play; Dolores Kelly referred to the anti-poverty strategy that comes under its remit. In Northern Ireland, a clear correlation exists between deprivation and segregated areas. There is almost a two-speed Northern Ireland: one section of the population is plugged into the global economy and doing well, but another section is, essentially, excluded through factors that include segregation. If the opportunities for everyone in society are to be improved, it is important to tackle segregation.

The Department of Agriculture and Rural Development must do more work to break down the various barriers that exist in rural communities. Those barriers are real and although some non-governmental research has been conducted in recent years, that work must be developed.

Sadly, some elements of culture in our society are highly segregated. As well as appreciating and recognising the different cultural traditions, DCAL

must do more work to promote shared cultural experiences.

I have three suggestions for the Department for Employment and Learning. DEL must appreciate the genuine problems that segregation causes in the labour market. People feel inhibited from working in certain areas of Northern Ireland, particularly greater Belfast. That inhibition has economic and financial costs for society and must, therefore, be tackled.

It is not wise for our society to have a multitude of teacher-training organisations, and the differing cultural demands can be met by one organisation. Progress can be made in that area in future. Some Members in the Chamber may object to that proposal, but there you go. We must also explore whether major differences exist in the use of jobcentres by different sections of the community.

The Department of Education is probably at the front line in dealing with segregation that potentially causes a distortion of as much as £300 million a year in that sector. We must move ahead more adventurously with area planning and sustainable schools, and the Department must take more seriously its existing duty to promote or facilitate integrated education. Substantial evidence shows that parents want the choice of integrated schools but only 6% of children avail themselves of that opportunity. The availability of integrated schooling does not meet the demand.

I am not saying that integrated schooling is a panacea for every problem, but it must be one of a menu of options for sharing. Before I am accused of saying that I want a one-size-fits-all system in Northern Ireland, I appreciate that there will be different sectors in education for the foreseeable future. However, greater sharing, and integrated education as a particularly favoured option, must be promoted in that system. When difficult decisions have to be taken on the rationalisation of the school estate, shared or integrated options can facilitate the sustainability of the local option, as opposed to children having to travel. That is an important point to bear in mind. I was slightly dismayed that towards the end of yesterday's debate on the Supply resolution, there was talk of slowing up the process of establishing sustainable schools. I take the opposite view: that process should be taken forward.

DETI must ensure that segregation and the barriers to economic development that arise from it are properly factored into the current review of economic development policy. The Minister of Enterprise, Trade and Investment is, undoubtedly, well placed to comment on that shortly.

The Department of the Environment must make shared space central to planning for the future, particularly for plans that include a public space element. We must ensure that people are encouraged to mix with one another. The Royal Institution of Chartered Surveyors

argues that, in parts, Northern Ireland has the largest carbon footprint in the United Kingdom, due to segregation and other factors. Therefore, tackling segregation is linked to addressing climate change.

The Department of Finance and Personnel has an important co-ordinating role. In particular, PEDU may be useful in challenging some actions by Departments.

It is important for the Department of Health, Social Services and Public Safety to conduct an audit to explore patterns of usage of its facilities by different sections of the community. There is huge expenditure in that area and, as Basil McCrea set out, there are huge financial pressures. As I understand it, Members are particularly keen to ensure that we protect front line services in that area, which is one part of the equation that we must address.

The Department for Regional Development must look at the spatial provision of transport. Is that done in the most efficient way? The evidence for the city of Belfast alone suggests that it is not. Again, therefore, greater efficiencies can be had from considering different approaches.

I pay tribute to and acknowledge the very positive leadership that the Minister for Social Development has shown in talking about mixed housing and shared neighbourhoods. We have seen significant moves forward under the current devolved regime and before that, with sharing having worked its way onto the housing agenda. Obviously, a lot more must be done, because we still have a very segregated social housing sector. Related to that is the blighting of land, and the demand for segregated housing creates major inefficiencies and cost pressures. The Department for Social Development is another Department in which finance is particularly acute at the moment.

At a general level, we must try to tackle divides in our society and the issue of peace walls, as they create barriers to people interacting and to economic activity. They are further examples of blights on the landscape. When I talk about those barriers, I refer not only to the formal so-called "peace walls" in greater Belfast and some other parts of Northern Ireland; there are a number of imaginary "peace walls" in communities. For example, the Westlink in Belfast is a barrier. Some people in the west of the city do not go into the city centre: the Westlink acts as a wall. The River Foyle in Derry or Londonderry is a barrier rather than something that unites the people of that city.

**Mr F McCann:** I want to pick up on the Member's point that people from west Belfast do not go into the city centre. Does he agree that many surveys that have been carried out show that hundreds of thousands, possibly millions, of people travel from west Belfast to the city centre every year, using public transport and

black taxis? I live on the west Belfast side of the Westlink, and most people there constantly visit the city centre.

A further point that I want to raise relates to the areas in and around interfaces. I know that everyone wants to see the day that the interfaces are taken away. However, does the Member recognise that excellent work is going on between both sides of the community in an effort to change the mindsets that mean that peace walls must remain at interfaces, and that their premature removal would have serious consequences for people living on both sides of an interface?

**Dr Farry:** I am grateful to the Member for his comments. First, on the issue of movement, there is evidence that there are people in the west of the city who do not travel into the city centre. That may well be a generalisation. Indeed, some residents of west Belfast, such as Mr McCann, manage to make it to work in east Belfast every day; it is important to acknowledge that. Equally, some people from Poleglass may not enter Lisburn but would instead go to Sprucefield. It is not just a Belfast issue.

Security is a consideration with peace walls and interfaces, and no one wants to take the responsibility for taking all the peace walls down in one go. Nevertheless, important work is being carried out in that area by people such as Neil Jarman who raise the issue and highlight opportunities to take some of the walls down. We should avoid becoming complacent and accepting that the present arrangements must be the reality. We must always challenge and probe, pushing as far and as fast as we can, to get the walls down, because, in the long run, they do not serve communities. They are not a cure for the divisions in our society; they are a sticking plaster.

Peace walls place a greater obligation on the police and other aspects of government to ensure that people who take risks and show initiative have protection and back-up from the rest of us. Those are important points, and perhaps we need to discuss them further in the Chamber by having a formal debate on peace walls. We should note the comments of the Mayor of New York, Michael Bloomberg, at the US/Northern Ireland investment conference last spring.

I have talked a great deal about the pressures and costs for the public sector and about how it needs to respond; however, we must acknowledge that sometimes those costs are also borne by the private sector. Therefore, when the Government are attempting to make the economy more efficient, opportunities may arise for them to assist the private sector to make its services more efficient and to reduce its cost pressures. We all stand to benefit from that exercise.

I appreciate that that was a fairly long review of the opportunities that exist for us, but it demonstrates that there is substantial scope for changing public policy in

Northern Ireland. I am not naive enough to suggest that we can make all those changes overnight; indeed, it may take several Assembly mandates or even a generation. Nevertheless, it is critical that we make a start on those reforms, particularly in light of the coming Budget pressures. My party makes those proposals in a constructive manner, and it is more than happy to engage in debate with Members from all sides of the Chamber and with Ministers and their officials.

**Mr Deputy Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. I, therefore, propose, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next Member to be called to speak will be Simon Hamilton.

*The sitting was suspended at 12.28 pm.*

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

2.00 pm

**Mr Hamilton:** Looking at the sparsity of the Chamber, obviously it was not clear enough before the lunch break that I would be speaking —

**Mr Deputy Speaker:** It was clear.

**Mr Hamilton:** Oh dear. I am happy to delay, Mr Deputy Speaker, if you want to let in all of the screaming hordes who want to hear my contribution, but I will ably go on.

**Mr K Robinson:** On a point of order, Mr Deputy Speaker. Is it possible for the proceedings to continue given the lack of Members in the Chamber? Do we have a quorum?

**Mr Deputy Speaker:** If, Mr Robinson, you are drawing my attention to the fact that there is not a quorum, I inform you that we can proceed with the business after the bell has been rung to notify other Members that a quorum is required.

We now have a quorum, so Mr Hamilton should proceed.

**Mr Hamilton:** Ken Robinson's cunning plan did not work.

**Mr Deputy Speaker:** It was Baldrick's plan.  
[Laughter.]

**Mr Hamilton:** His attempt to try to silence me has failed.

I am pleased to be able to speak during the Second Stage of the Budget (No. 2) Bill. Coming, as it usually does, a day after a debate on the Supply resolution, there is always some level of difficulty in saying something new or original. However, as you can testify, Mr Deputy Speaker, that has been no impediment to me speaking in the past, and it will not be so today.

**Mr Weir:** Hear, hear.

**Mr Hamilton:** I thank the Member for that. I enjoy the opportunity to contribute to a Budget debate because it is one of the most important things that we do as a legislature. Although there may be some level of commonality in the way in which such debates work out in the end, it is still a very important aspect of our work. It is a good opportunity for Members from all corners of the House to talk about public finances in their broadest sense or to talk about particular aspects of their own constituencies or Departments in which they have a particular interest. I welcome the opportunity to speak about such matters.

Before I make some comments about the Executive's response to the economic difficulties that we face, I will pick up on a few comments that were made by Mr Basil McCrea before the lunch break. When listening



to his remarks, certainly the start of them, I was reminded of one of those vintage television programmes in which the regular actor who played a role was sometimes unavailable and it would have been announced that that role would be played by somebody else. Perhaps it should have been announced that the role of David McNarry would today be played by Basil McCrea. I thought that that was the vein down which he would go. Ultimately, however, he was not as unique as David can sometimes be in his contributions.

I will attempt to correct some of the points made by Basil McCrea. He repeated the line that was used yesterday, that no bids were being submitted by Departments in respect of the June monitoring round. I spoke about that yesterday, and the Minister of Enterprise, Trade and Investment made it perfectly clear that bids are being submitted. Indeed, the Committee for Finance and Personnel received a presentation from officials that outlined the bids that the Department of Finance and Personnel (DFP) made. I am sure that the Education Committee, of which Mr Basil McCrea is a member, has heard officials from the Department of Education outline the various bids that they have made. In fact, I would be very surprised if the Department of Education did not make any bids. Bids are certainly being made.

However, what the Executive choose to do with those bids can only be assessed when they have all been received and looked at in the context of where we are. Clearly, there is always an over-application for the limited funds that are available in any monitoring round, and some will be unsuccessful. Indeed, the Executive may take a strategic decision to do certain things during that round, but to say that no bids are being submitted is wrong and was corrected yesterday by the Minister. I find it peculiar that we have heard that statement made again today by members of the Ulster Unionist Party.

Again, there was talk of a lack of flexibility; it has been said that the Budget was rigid and inflexible. I reiterate the point that monitoring round processes are far from rigid and inflexible. In fact, they are quite the opposite. They allow for a degree of flexibility and often for a rapid response to pressures that emerge and that need to be dealt with quickly. It is foolish to suggest that a process that in the past two years has allowed the reallocation from one Department to another of funding of some £1 billion is inflexible. To call such a process inflexible is ludicrous.

In Northern Ireland, £1 billion is a large amount of money in public expenditure. Obviously, it is not as big a sum as that of the Budget itself. However, even if the Budget process were reopened, a reallocation of as much as £1 billion would not be expected. Therefore, to achieve such a reallocation over a two-year period is quite impressive.

Mr Basil McCrea talked at length about what he saw as the inevitability of cuts. Certainly, I would be the first to acknowledge that there are significant pressures on public expenditure beyond the next spending round. The figures are fairly secure for the current comprehensive spending review (CSR) period, but there is less certainty about what happens beyond that. We will have to deal with that situation when we face it. I will not submit in any way to some inevitability of cuts for Northern Ireland, and I know that my party will not do so either. We will fight for Northern Ireland's position and for what we believe to be its entitlements within the United Kingdom. We will continue to argue that some aspects of Northern Ireland mean that it is a special case, even as we move forward. We will not surrender in any way to some inevitability of cuts.

There are pressures on public expenditure in Northern Ireland. In response to the Chancellor of the Exchequer's most recent Budget announcement, people said that Northern Ireland would face something in the order of £600 million of cuts. In fact, the deputy leader of the Ulster Unionist Party said that that would happen; I may be corrected on the figure, but I think that he said something like £600 million. When it turned out that, in effect, the Chancellor's Budget had a neutral impact because of Barnett consequential, I did not see anyone apologising to the House for that. Therefore, sometimes people believe that large-scale cuts or efficiencies are inevitable, but when the situation pans out, it ends up being not that bad.

If there is a belief that cuts or further efficiencies are somehow inevitable and that we must face up to them, I do not see those on the Ulster Unionist Party Benches being mature about the need for efficiencies. Why has there been constant whingeing about the 3% efficiencies in the current CSR period? If we are to face up to the supposed reality of further efficiencies and cuts, why is there a demand that funding for the Health Service be ring-fenced and that it be untouched? I have spoken about this in the House previously, and I do not wish to repeat myself too much, but it is completely wrong to say that half the Budget, with all the obvious inefficiencies that remain in the Health Service, should be ring-fenced and that inefficiency be copper fastened in the system. If, as was suggested, public finances are under increasing pressure, nowhere is immune to scrutiny or can be exempt from it. We need to look everywhere. We cannot just take half the Budget, or what might be slightly over half the Budget at that time, and say that it is ring-fenced.

**Mr McCallister:** Does the Member accept that the funding gap for health services means that we are falling well behind the level of funding for those services in England and Wales?



**Mr Hamilton:** When the Member spoke about that issue previously, I pointed out to him that expenditure per capita in Northern Ireland has actually been rising quite rapidly to the point where it is higher here than in other parts of the United Kingdom. The Budget settlement that we see panning out through the Budget (No. 2) Bill has taken expenditure on health in Northern Ireland to record levels. I ask the Member to consider this question: if, as his colleague said earlier, cuts are inevitable, why should one element of public expenditure be immune? Why should it be protected over anything else? The Member's party is adopting a contradictory position that he needs to answer for.

I also heard the old chestnut today about a revision to the Programme for Government. As often as that will be said, I will throw back the same line: I ask that those Members of the Ulster Unionist Party who say and believe that the Programme for Government should be revised please tell their party leader, who when quizzed on it, repeated to the BBC that it did not need to be revised at all and that its principles were correct.

We can debate budget lines, and we can say that money could be taken from one place and spent elsewhere; that is a legitimate argument. The Programme for Government sets the growth of a vibrant and dynamic economy as the Executive's number one priority. Why, in the midst of a difficult economic position, would anyone want to move away from that? In response to the question about pressures on public expenditure in Northern Ireland, we should try to achieve the economic growth that we had hoped would exist in Northern Ireland but which, unfortunately, has been made all the more difficult by the current circumstances.

During yesterday's debate on the Supply resolution for the 2009-2010 Main Estimates and today's debate on the Budget (No. 2) Bill, quite a few Members talked about the response of the Executive, the Assembly and Departments to what are some of the most trying of economic circumstances that not only Northern Ireland, but the whole world, is facing. If devolution is to be about anything, it is to be about ever-improving public services, trying to make a difference and doing things differently to how they were done 10 years ago or to how they might be done if direct rule was still in place.

When people ask me what the Executive are doing or trying to do, or about what the Assembly and I, as a Member, are doing to support and help the economy, I cannot help but mention the record levels of investment that have been made in capital infrastructure in Northern Ireland. The investment strategy for Northern Ireland sets out a target of £18 billion of investment over a 10-year period. In the past year, that has manifested itself through an investment of £1.6 billion or £1.7 billion. The final figures have not yet been brought to the House, but, whatever they are, record

levels of investment have been made in infrastructure in Northern Ireland. That compares favourably with approximately £1.1 billion of investment in the previous year. One does not need to go too far back into the direct rule past to see that the investment was about £650 million in 2002-03.

The current level of investment is not to be sniffed at. Sometimes, we use figures such as £1 billion and cast them aside. We see that footballers are bought and sold for £80 million, and it seems like a snip. A figure such as £1 billion does not sound like a lot when it slips off the tongue, but it is a substantial amount of money, and it demonstrates the substantial investment that is going into Northern Ireland's infrastructure. It is transforming how Northern Ireland looks and how public services are being delivered.

Every aspect of public service delivery is being positively impacted upon by that level of investment. It is visible across every aspect of life in Northern Ireland. It is evident in the likes of roads, with the widening of the M2 and the improvements on the A1 to Newry. Furthermore, more than £100 million has been invested in the Dungannon to Ballygawley road, which is in the Minister's constituency of Fermanagh and South Tyrone.

One can also see improvements to the educational infrastructure, and they offer obvious benefits to those who attend such institutions as the new Belfast Metropolitan College, which is investing some £40 million in a new campus at the Titanic Quarter. Last year, £350 million was invested in schools, and, this year, closer to £400 million will be invested in schools across Northern Ireland. That investment offers obvious benefits. Not only does it provide a nice new shiny building in a town, but it is beneficial to those who attend the schools. Pupils will have a richer learning experience in the improved environment, and the teaching experiences of staff will be more pleasurable. Staff will benefit in that respect, and they will benefit from the pupils warming to that educational environment.

Massive investment has been made in healthcare infrastructure in Northern Ireland as well. For instance, investment has been made in the infrastructures of the Royal Victoria Hospital, Altnagelvin Area Hospital and the Ulster Hospital.

Last year, our waning waste-water infrastructure received investment of almost £200 million, and an investment of over £100 million is scheduled for this year.

If I may be parochial, as all Members tend to be in Budget debates, let me say how happy I am that more than £80 million of capital investment went into my constituency of Strangford. Investment was made in new roads in Newtownards, which were not new roads

merely for the sake of new roads that take traffic away from the congested town centre. In fact, they open up massive economic opportunities in the town that were lost in the past number of decades.

We have also seen investment in waste-water treatment works and housing. In the fishing village of Portavogie, some £1 million of improvements to the harbour have been scheduled between now and 2011.

2.15 pm

**Mr McCarthy:** Will the Minister — will the Member give way?

**Mr Hamilton:** The Minister is not on her feet, but the Member will happily give way.

**Mr McCarthy:** I am grateful to the Member for giving way and for his sermon about what is coming to Strangford. However, as he has the ear of the Minister, will he direct some funding to the A20 and the A2? Those, I remind the Member, are roads that go beyond Newtownards, down the Ards Peninsula, and they have not seen investment for donkeys' years.

**Mr Hamilton:** Obviously, when Mr McCarthy said "Minister", he was thinking of the sermon that I was giving.

**Mr McCarthy:** You knew what I was getting at.

**Mr Hamilton:** I understand the Member's point. He and I, along with others, have lobbied strenuously through the years for ongoing improvements to both of those coastal roads. We do not want to see superhighways on the Ards Peninsula, by any means, because they are beautiful roads and their twists and turns make them a tourist attraction in many respects. However, we would like to see occasional improvements to them. I am always happy to join the Member in lobbying for that.

Whether it is those minor roads, major roads, hospitals, colleges or schools, there can be no doubt that massive investment is going on across Northern Ireland. We can always want more. Mr McCarthy is always prone to asking for more. We all want more for our areas and for Northern Ireland in general, and we will always want to see local firms benefiting from capital investment. The Committee for Finance and Personnel is engaged in an inquiry into the public procurement process. Particularly in these difficult times, we all want to see local construction firms getting more of a benefit, or, at least, more awareness of the opportunities that exist in the current set-up.

I could talk for an eternity about all the projects that are going on in Northern Ireland, in my constituency and everyone else's. However, I sometimes think that the public are unaware of where that investment comes from. People just see cranes or buildings being built and they do not always attribute those things to their

own money being ploughed back into their community and building a better Northern Ireland.

I am not so narrow-minded that I will not learn lessons from our neighbours across the border. They have a good scheme whereby they highlight where the national development plan is going into individual villages, never mind the towns and cities. They make it clear to people in those areas how much of their taxes are being reinvested in their local communities. We can learn a lesson from that, so that when people ask what the Assembly and Executive do, we can point to projects in their areas. We could advertise clearly in those areas that the investment has not come from Mars but from the Northern Ireland Executive.

Yesterday, one Member described the Executive as a "do-nothing Government". Not only is that inaccurate but the Member, Mr McNarry, who is not here today, disparaged his party colleagues, the Minister of Health and the Minister for Employment and Learning. I can have a knockabout go at them with the best, but they too are playing their parts, through their Departments, in investing in Northern Ireland through the provision of new healthcare facilities, new colleges and so on.

Those Ministers play their parts in some other measures that the Executive are bringing forward. I talked about infrastructure, but there is also assistance going into people's pockets and to businesses in the form of rates relief and lone pensioner allowance. The latter is something that the Assembly should be particularly proud of; it is one of our finer achievements. According to the last figures that I saw, more than 17,000 individuals in Northern Ireland have benefited from the lone pensioner allowance to the tune of about £2.7 million. That works out, on average, at £150 a person. That is a substantial amount, especially as the demographic group in receipt of it are over 70 years of age and live alone. One hundred and fifty pounds off their rates bills is a substantial amount and a great assistance.

There are also free prescriptions, which are benefiting the public to the tune of £13 million. Free public transport has been extended to those over 60 years of age, which is helping to the tune of around £18 million. There is the fuel credit, which Dr Farry should know better than to describe as a winter fuel payment. That is an entirely separate —

**Dr Farry:** I called it the "spring fuel payment".

**Mr Hamilton:** That is inaccurate as well, because it is a fuel credit. I do not know what Dr Farry does, but, funnily enough, people buy fuel throughout the year. The fuel credit has helped many individuals, and it is not to be confused with the winter fuel payment, which is a completely different benefit.

The freezing of the non-domestic regional rate has helped businesses. The capping of the industrial rate

has helped a great many manufacturing businesses with their cash flow and has been proven to have helped some of those businesses through these more difficult times. At the tail end of last year when it was becoming much more apparent how bad the economic downturn was, the Economic Development Forum called for investment in construction, finance for businesses, help for businesses in difficulty, and work to be done on skills. I will not say that everything that the Executive and the Assembly have done has been perfect and will insulate Northern Ireland entirely from the worst ravages of the recession, but they can be marked pretty favourably against the criteria for which experts in industry and the wider business sector called.

I have already talked about the roll-out of the investment strategy for Northern Ireland (ISNI) and the record levels of investment in capital infrastructure in Northern Ireland. The Minister of Finance and Personnel's Department and Invest Northern Ireland are launching a new venture capital fund in the coming weeks. Obviously, problems with finance still exist, because our banks hold so much control. I read with interest the Institute of Directors' recent report on some of the negative experiences that its members have had with banks.

The Minister of Enterprise, Trade and Investment announced in May the short-term aid scheme to help businesses in difficulty. It is a £15 million fund for businesses that have experienced difficulties to help them to retain staff to get themselves out of trouble. At the same time, the Minister for Employment and Learning announced the Skillsafe scheme, which focuses on apprenticeships. The Executive and the Assembly can therefore be marked very favourably against the criteria that the Economic Development Forum identified in the latter part of last year.

I have said before that I am pleased that we have a local Assembly that is capable of debating issues, and that decisions are not foisted on us but are open for discussion. Almost every party in the Assembly is party to the Executive, who formalise and devise the Budget. We can all dispute whether the right actions are being taken, but at least we can all agree that it is much better to debate and implement our own Budget rather than to have it foisted on us. Despite our particular differences of emphasis from time to time, we can all agree that record levels of investment are going into construction and infrastructure in Northern Ireland; that direct help has been given to some of the most vulnerable individuals in our society; and that we have helped businesses that have had a rough time and will continue to have a rough time for some months.

We can, rightly, be proud of many of the initiatives that have been undertaken. Yes, we would all like to do more, but the Budget shows us that a limited amount of resources are at our disposal. We have done a good

job with those limited resources, and we will continue to do our best with them. I welcome the Budget (No. 2) Bill and am happy to support it.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. Mr Hamilton has delivered a lengthy and accurate list of the Executive's achievements. He spoke about the billions of pounds that we are investing in our infrastructure, in our health services, in our education services and across society. However, are we mapping a course for economic recovery in this part of Ireland and across the island of Ireland? Are we playing a role in the future economic destiny of this group of islands? As we stand here today debating the Budget (No. 2) Bill, I wonder if the title of the debate is loftier than the process in which we are involved. What we are really doing is dividing up the dubiously-named block grant. We are dividing up what the British Exchequer has decided that it will give us during the current CSR period.

Later in my speech, I will outline what I and my party believe is the way forward. However, I was interested in what Basil McCrea said today about the current CSR, and I am sure that many people will refer to his speech. At one point, he said that we should make cuts now because cuts will be coming. Where, and on what basis, should those cuts be made? I too suspect that the British Government will introduce swathing cuts to the block grant here and across its overall Budget. However, I am not sure whether it is prudent from a financial perspective or wise from an economic perspective to make cuts to services now based on that assumption.

His most startling and revealing comment, which shows the views of the Ulster Unionist Party today, was that public-sector cuts are the only option. He did not say that they are one of the options, a possibility, or that the matter is open for discussion: he said that they are the only option. Our economy relies largely on public-sector jobs, and what Mr McCrea is saying is that there will be major redundancies across the public sector. He is saying that those redundancies will not be because of changes in service requirements, but because the Executive should, as their only option, cut thousands of jobs and services across the public sector to balance the books. Where does he get that philosophy from? He gets it from the Conservative Party.

I am ambivalent about what political party the Ulster Unionist Party aligns itself with: I do not lose any sleep over it one way or the other. However, I am very concerned when a member of a political party stands in this Chamber and pronounces that the future economic direction involves public-sector cuts, because that will mean unemployment in tens of thousands of homes, the removal of millions of pounds of wages from the economy, and the impact that will have on future investment, etc. Conservative Governments



throughout the world have attempted to rectify economic downturns by picking on public services, and it has never been shown to work. All it has done, as we saw during the Thatcher years and the Major years, is bring further deprivation and hardship to the most vulnerable in our society. It does not create the economic dynamic to bring us into a new economic era.

I ask Mr McCrea to reflect on his call for public-sector cuts, because I am sure that the civil servants working in this building, those who work in the Department for Employment and Learning (DEL), and particularly those in the Health Service, who saw the worst of the cuts during the previous Conservative Administration, will be very anxious when they hear that the Ulster Unionist Party is proposing that the only option is public-service cuts.

Also, I am not convinced that the current British Government is committed to a three-year CSR period. They may well make changes at the end of the current financial year, or before that. However, I am not advocating that the Executive, on that basis, should change their budgetary commitments or the Programme for Government at this stage; although we must be wary and continue forward thinking as there is a possibility that the current British Government is going to make changes to its CSR arrangements because of the financial situation in which they, and many Governments throughout the world, find themselves during the economic downturn. The fact is that the taxes that would, under their social agenda and their mindset, commit them to the current spend, are not forthcoming.

We also heard that perhaps we should follow the course that has been set by George Osborne, Alistair Darling or, for that matter, Brian Lenihan. I apologise; I cannot remember the name of the finance spokesman for the Liberal Democrats.

2.30 pm

**Dr Farry:** It is Vince Cable. How could you forget?

**Mr O'Dowd:** I am sure that his work could provide me with some night-time reading.

Members suggested that we could follow some of the economic changes to society that those people propose. However, that misses the point. Sinn Féin believes that we should map our own economic destiny. The way out of the economic downturn is for the North to involve itself in an economic recovery plan across the island of Ireland. I await the cries from the Benches opposite about the current state of the Dublin Government's finances. Indeed, they are a disgrace. The Dublin Government have mismanaged the wealth that was created by the so-called Celtic tiger economy, although it is worth noting that that wealth benefited only some sections of society and not all the people of the Twenty-six Counties. That is true when

the gap between rural and urban areas, and between the poor and the rich, is considered. The Dublin Government have squandered that wealth.

We do not seek a Fianna Fáil solution to the economic downturn; neither do we seek a solution from the British Labour Party or from the British Conservative Party. We seek an all-Ireland-based solution. In the interim, that will be between the Assembly and the Dáil. I wonder how often the Minister of Finance and Personnel or the Minister of Enterprise, Trade and Investment, who is filling in for him, have met their counterparts in Dublin to discuss how to map a way forward to economic recovery, how to invest the benefits of that economic recovery in the marginalised sections of society and how to create a wealth base to ensure that services are provided by not cutting public-sector posts, as Basil McCrea has advocated.

**Dr Farry:** The Member may wish to tell the House whose economic policies he looks up to, but I shall leave that as a side point.

Does the Member distinguish between greater economic co-operation and greater fiscal co-operation on the island of Ireland? I see economic opportunities, particularly considering the great strides that are being made in the South of Ireland on the green economy in contrast to the slower rate of progress up here. However, we rely on a subvention of around £7 billion that can be absorbed by the 60 million people of the United Kingdom. Could that burden be absorbed by the taxpayers of a united Ireland in the short term? Is a distinction to be made between the argument in favour of greater economic co-operation and the argument to do with fiscal dependency?

**Mr O'Dowd:** The person to whom I looked for advice on budgetary control was my mother, who reared nine of us on a very limited budget.

There are very few states around the world whose economic policies we would wish to match. I am an Irish republican, and I have my views on how the world should be shaped. However, as a people, whether we are unionist, nationalist or republican, we have the wherewithal to master our economic destiny. Fiscal co-operation and broader co-operation are one and the same thing. We are running two health services and two education services. All our services run back to back, and we must consider the costings.

Mr Farry said that he was willing to have a conversation with Sinn Féin on such issues. Our door is open, and I hope that we start that conversation soon. No one should fear conversation and debate. The outcome of any consideration of the possibilities for more efficient and effective delivery of services on this island will not threaten anyone.

With respect to our economic destiny, and looking towards Europe and the world, we are competing



against each other. Yesterday, the Minister of Enterprise, Trade and Investment gave figures, similar to Dr Farry's, illustrating how we could not afford to live without the intervention of the British Government. This may seem somewhat self-serving, but given the history of the British Government in Ireland, I see no reason why they should not continue to make financial interventions in Ireland for many years to come. It is their political, military and economic interventions that I have major concerns about; however, they have a debt to this society that will be paid out over many years.

As regards our position as members of Sinn Féin and as Irish republicans, we are not isolationists and we do not seek to cut ourselves off and float into the middle of the Atlantic. We have a vision of an Ireland of equals, in which we can work and co-operate with our nearest neighbours in England, Scotland and Wales, take our place as equals in the greater European framework and, within that, work in a world economy. How we use our economic growth — our economic destiny — is the important thing. That is where political differences are most blatant.

When we come out of this economic downturn, we want to see a focus on delivering to marginalised communities. The list read out by Mr Hamilton shows that the Executive are doing good work. There is no doubt about that. As Members canvassed during the election campaigns, they will all have realised that there are still wide swathes of society, urban and rural, that are marginalised and left behind and will remain so. In areas that were once affluent, or marginally affluent, unemployment is on the rise.

The unemployment figures hide the reality of the situation. Far more people than are counted in those figures are economically inactive. There are people on what used to be known as "the sick", that is, disability benefits, and so on, who are no longer working or who are incapable of finding work in this society. Those people feel that regardless of the billions of pounds referred to by Mr Hamilton, the Executive and this institution do not deliver for them. As this CSR period continues and we enter into the next spending round after 2011, we must ensure that we have an equality-driven agenda that focuses on targeting social needs, so that we can improve society.

I have some final points to make about education; most debates in this House have education brought into them in some way. I listened with interest yesterday when the Minister replied to a question by saying — I paraphrase her remark — that there were no recognisable adverse costings of transfer 2010 at this stage, though the failure of the policy was the responsibility of the Education Minister. However, it is the Minister of Enterprise, Trade and Investment and her Democratic Unionist Party colleagues who have

failed to hold the debate around the Executive table. Recently, we have heard much from that party's leadership that it will listen and learn. Perhaps if the Minister's Executive colleagues start listening and learning, we could resolve the education issue and a few other outstanding matters.

If we are to improve our economic lot, we will have to listen to and learn from each other. That is the only way forward for society. Go raibh maith agat, a LeasCheann Comhairle.

**Mr Weir:** Yesterday, I spoke of the great sense of déjà vu in these debates. It is difficult to find much that is novel. One thing is novel about this debate, and I will come to it in a moment. However, it is difficult for me to follow a speech that I think is almost worthy of a Nobel Prize in economics. Sinn Féin's analysis of the economy shows that that party would have difficulty distinguishing between Milton Friedman and Milton Keynes.

In this debate we have seen many old hobby horses ridden around the paddock, although the Member who last spoke gave a high level of exposition and detail. Not surprisingly, the Alliance Party, which, to be fair, gives a fairly consistent message, rode its hobby horse, the costs and implications of division, for several laps of the Chamber.

From across the Chamber, the Assembly has heard about the magic bullet of an all-Ireland economy, which does not so much leap into the future as embrace de Valera. There seems to be a remarkable lack of understanding of the difference between economic intervention and fiscal intervention. Like Stephen Farry, I am certainly happy, and believe that it would be useful, to examine where there can be economic co-operation of mutual benefit. Anyone in the Chamber would welcome that. However, there is as much sense in looking south and linking Northern Ireland into an all-island economy, particularly in view of the Irish Republic's current fiscal state, as there would be in looking north for such a fiscal connection and, perhaps, linking into Iceland's economy. I suppose that if Northern Ireland were to link with Iceland, it would, at least, be assured of a plentiful supply of fish. There would be some advantage.

One slightly novel aspect of the debate is that, due to earlier events in the Chamber, the House has been deprived of the analysis and measured contribution of Mr McNarry, which is always a source of great comfort, particularly on these Benches. One feels that Mr McNarry's absence is almost like 'Hamlet' without the prince. A colleague said, somewhat uncharitably, that it is more like 'Hamlet' without Yorick.

Mr Basil McCrea made a valiant attempt to act as Mr McNarry's understudy. However, there were major differences. Although, like my colleague, I disagree with a number of aspects of Mr McCrea's analysis, it

was, at least, delivered in a measured tone, the nature of which has certainly blown a hole in anything that I had intended to say by way of response.

I agree with Dr Farry that although Mr McCrea is wrong to highlight the threat that exists prior to 2011, clearly there are potential problems post-2011. I must say, without too much political point scoring, that that threat to the public purse comes potentially from a Conservative Government. The Executive's record, both in obtaining the extra £1 billion at the start of the process, and in robustly defending the Budget at Westminster, has been one of high merit.

In the Chancellor's recent Budget statement, there were some fairly grim predictions of cuts to block grants. However, although £123 million was taken out, additional income of £116 million was put in. Although that may not be ideal, most Members would agree that it is as good financially as one could have anticipated. There are major threats, which have already been mentioned, from a potential incoming Conservative Government. I wonder whether when, as I suspect, a series of unpopular decisions is taken at Westminster and, indeed, massive cuts are made by that potential Government, Mr McCrea and his colleagues will be quite so keen to be associated with, and to consistently quote, the name of George Osborne. Will there be a little more blue water between the parties at that stage? That remains to be seen.

Again, reference has been made to honesty and transparency and to preparing for the future. I have no problem with that. However, as regards any reduction in expenditure by various Departments, which seems to have been predicted by Mr McCrea and to which others have referred, when people make a case for reallocation of resources, it is always easy to come up with a long list of where money should go. However, when pressed about where additional money might come from, Mr McCrea talked vaguely of cuts without making any reference to where they might be made, with the exception of some form of ring-fencing in the Health Department. Indeed, Mr McCrea, in disagreement with his party leader, wants the entire Programme for Government and, effectively, the Budget to be rejigged.

2.45 pm

As my colleague Mr Hamilton indicated, I think that Basil McCrea and his colleagues want the Health Department to be insulated from efficiency changes. However, that Department's budget is not under any pressure from efficiencies. If I am wrong about that, I am more than happy to be corrected. The Health Department's budget accounts for approximately 50% of the overall Budget and for a clear majority of new money in the Budget. Therefore, if Mr McCrea wants to ring-fence the health budget from any form of

efficiency at a time when, according to him, cuts must be made, one wonders what level of swingeing cuts he wants to see being made to other Departments' budgets.

All of us want to ensure that money for front line services is protected. This is not an attack on the Health Minister, because the issue pre-dates his time in office by a number of years. Over the past 10 to 15 years, one has seen a rapid growth in the amount of money being invested in the Health Service, and in administration and bureaucracy; however, one has not seen the same level of rapid growth in delivery on health. The real issue is that a Department the size of the Health Department should be delivering as much as it possibly can to front line services given the amount of money that it receives. We should all unite on that point.

I believe that the Budget before us, which I agree with the Minister for Employment and Learning is based fundamentally on the Programme for Government and on the sound economics of putting the economy first, is continuing to deliver for the people of Northern Ireland. Any degree of analysis bears that out, and one only needs to look at the list of capital investments, totalling £1.6 billion or £1.7 billion, for Departments in 2009-2010 to see that. For example, the Department for Regional Development will receive more than £400 million in capital investment; the Department for Social Development will receive almost £400 million; the Department of Education will receive £275 million; and the Department of Health, Social Services and Public Safety will receive £223 million. Now, and over the next few years, that money will deliver real benefits and real change for the people of Northern Ireland.

My colleague mentioned various investments in Strangford. Such investments have a ripple effect across a number of constituencies. For example, my constituency colleague Dr Farry and I recently attended a presentation on the proposed changes to capital investment for the Ulster Hospital over the next few years. Although the hospital is located outside North Down, it will be of service to the people there and further afield.

A high level of investment is taking place. In 2009-2010, £184 million will be invested in roads projects; £35 million will be invested in the Royal Hospitals; and £31 million will be invested in tourism signature projects. Therefore, people who accuse the Executive of doing nothing are wide of the mark. Those amounts of money, which are a record level of investment, will support and help the construction industry, in particular.

Work has been done with the Treasury to ensure that in the region of £80 million can be re-profiled and

carried over to the next financial year. Clearly, a strong commitment exists to make use of that opportunity.

As I said, it is easy for us to identify a range of areas in which we want to see additional money being invested. Indeed, some bids that will be made in the next monitoring round will be met over the next year or two and some will not. The Committee for the Environment, on which I sit, would like to see a range of things happening, particularly on the capital investment side, and it is clear that investment will be needed through the RPA to bring that forward. That has been factored in to a large extent.

One area that has been neglected for many years, particularly under direct rule, is investment in waste infrastructure. Leaving aside the current debate in Belfast about the incinerator, owing to years of neglect of waste infrastructure during direct rule, we have a lot of catching up to do. Money will, clearly, have to be allocated to that area.

Several Members made important points about the planning backlog. Although some planning reforms are starting to have an effect, that area requires more money. One could argue that the most important area for the Department of the Environment is road safety, and it is keen to apply pressure to make improvements that will reduce the adverse statistics. I am sure that members of any Statutory Committee could come up with a similar range of proposals that they believe worthy of double the current funding. It would not be difficult to draw up such a set of proposals.

During the period of the Transitional Assembly, one party managed to spend the block grant in about four days of motions. I will not name that party because I do not want to embarrass the SDLP. However, it is easy politics to say that such-and-such requires more money, and, to be honest, genuine arguments could be made for that money. Even where there is money to be spent, there must be a degree of balance. Although the Minister has used worthy arguments about social housing, I am not sure that the balance between new housing and investment in housing maintenance has been achieved. In my constituency — and others will testify to similar experiences — several projects seem to have been put firmly on the back burner, because housing maintenance seems to have been placed at the bottom of the pile. We must use our money well.

The Executive have taken a strategic decision, which has, ultimately, been bought into by those around that table, that places economic development in this country at the top of the agenda. Others have outlined the burdens on individuals at home, the lone pensioner allowance, the freezing of the regional rate and the help that is available to businesses. Manufacturing rates and the non-domestic rate have been frozen, and initiatives such as relief for small

businesses have been introduced to respond to the recession. I welcome such measures.

We should try to learn lessons from elsewhere, particularly in respect of rates on small businesses. Many people who run small businesses in England have written to their MPs to request the introduction of measures similar to those in Northern Ireland and Wales. They want to copy that model because we have created a business-friendly environment. The party opposite wants not only its silver bullet of all-Ireland co-operation but a high level of fiscal control and tax-raising powers. That will, inevitably, cause pressure to spend more money over the forthcoming years and will increase financial pressure on households and businesses.

We have maintained a business-friendly environment and created a situation that places Northern Ireland in the best position to withstand the recession and to recover during the global recovery. However, we must not be complacent and simply hope to weather the storm. As other Members have said, the Executive will, I assume, consider in days to come the issues that the Economic Development Forum has identified, such as financing SMEs and helping businesses in difficulties. The Budget is pro-business and has stood the test of time. Mr McNarry and others constantly stargaze in search of a black hole; he is outside today and may have a better chance of finding that elusive black hole.

The Budget (No. 2) Bill will stand the test of time, it can take us forward, and I commend it to the House.

**Mr McCallister:** Taking a broader look at today's Budget debate, I think that Gordon Brown's economic strategy has had a hugely damaging effect on the UK's public sector, private sector and citizens' personal finances. That strategy, combined with the ongoing consequences of a world recession, means that any UK Government, be it Labour or Conservative, will have some difficult decisions to make over the next few years. It would be dishonest and fundamentally absurd for anyone to pretend that we can spend or borrow our way out of the present crisis, let alone argue that spending can remain untouched or completely ring-fenced.

**Dr Farry:** Has the Member heard of John Maynard Keynes?

**Mr McCallister:** Yes, I have. Was that just a quiz?

The DUP says that the next Conservative Government will be a Government of swingeing cuts. In precisely the same way that it tried to scare voters into voting for it to stop Sinn Féin topping the poll in the European election, its Members are now trying to scare voters into not voting for Conservatives and Unionists in a general election because of threatened cuts.

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



**Mr McCallister:** I presume that I will get more time in which to speak after Question Time.

**Mr Weir:** As the motion relates to legislation, Members have unlimited time in which to speak.

The Conservative Party, to be fair to it, has been well documented and very much on the record in saying that it intends to ring-fence funding in four areas, including health and overseas development. It has also indicated that there will be cuts in all other Departments. It is not an issue of the DUP scaring voters; it is a matter of public record that the Conservative Party is going to introduce cuts when it gets into Government.

**Mr McCallister:** I am grateful for that intervention. It is actually the Member's party that has the track record of trying to scare voters about Sinn Féin topping the poll and, quite bizarrely, arguing at one time that it would never go into Government with Sinn Féin. Look where it is now: sitting very happily with Sinn Féin.

Perhaps the DUP can explain the basis for its scare tactics and produce some evidence that it will resist the cuts. Perhaps its Members will also explain where they will find the money to continue to spend at the same levels.

The DUP is offering no alternative. What financial strategy does it have for maintaining spending at present levels while coping with the continuing economic downturn and a requirement to pay back the huge sums borrowed by Labour over the past couple of years? Does the DUP really believe that attacking the Conservatives will make it easier to influence a Conservative Government in the future? Did DUP MPs not vote last week to bring down Gordon Brown's Government? Mind you, they have changed their minds; they had the chance to vote against the Government on the issue of 42-day detention.  
*[Interruption.]*

I am happy to take the point that was shouted from a sedentary position.

**Mr Weir:** The Member castigates us about the vote on 42-day detention. The one Ulster Unionist MP also voted with the Government on that issue. I presume, therefore, that he is also condemning the only Ulster Unionist Member of Parliament.

**Mr Deputy Speaker:** I know that Mr McCallister has taken a lot of interventions.

**Mr McCallister:** I will happily answer that point later.

**Mr Deputy Speaker:** You can return to that issue later. I have to interrupt because we are now moving to Question Time.

*The debate stood suspended.*

3.00 pm

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

## Oral Answers to Questions

### CULTURE, ARTS AND LEISURE

#### Sports Stadia

1. **Mrs M Bradley** asked the Minister of Culture, Arts and Leisure to outline his Department's assessment of the economic multiplier effect of sports stadia when they are built in (i) out of town centre; and (ii) town centre locations. (AQO 2991/09)

**The Minister of Culture, Arts and Leisure (Mr Campbell):** The economic viability of any stadium is primarily dependent on the number of matches that are played and the number of spectators who attend those matches. However, it is generally accepted that sports stadiums can have a greater multiplier effect when built in town-centre locations rather than out-of-town locations.

Research suggests that town centre stadiums have greater spillover effects because of their convenience to restaurants, hotels, bars, shops and tourist attractions. A pedestrian-friendly environment is often cited as one of the main reasons for the greater economic impact of town centre stadium locations.

**Mrs M Bradley:** I thank the Minister for his answer. Does he still support the concept of a shared stadium for Northern Ireland with the involvement of the governing bodies of rugby, football and Gaelic sports?

**The Minister of Culture, Arts and Leisure:** Most people would support the idea of a shared stadium. However, Members will recall that the original plan for the Maze meant that the sporting bodies would have had to use the stadium at completely different times; that is not the type of shared space that most people envisage when they talk about a shared environment. That was the concept, however, and we all know what happened. The business cases were reviewed by my Department and others, and I made a statement that moved the situation forward.

I remind the Member and the House that, had I not taken the decision that I did, we would still be wrestling with whether to proceed with the Maze stadium project. I have no hesitation in saying that I took the right decision. The three sports governing bodies concerned met me and gave me their preferred suggestions about the way forward in ways that meet



the strategic objectives of their sports. That is the position at the moment, and it is to be hoped that we will be able to build on that in the very near future.

**Mr I McCrea:** The Minister will be aware that not everything that matters happens in Belfast. Does he have plans to address deficiencies in sports stadiums outside Belfast?

**The Minister of Culture, Arts and Leisure:** I thank the Member for that relevant and timely question. We must settle on provision for the three main sports, but there are stadiums in various parts of Northern Ireland. At my previous appearance at Question Time, I spoke about considerable development in Irish League and Gaelic sports grounds. I hope that we have moved a little further on that today and will move even further in the next few weeks. Stadiums across Northern Ireland that cater for the three main sporting disciplines are in need of upgrading, and I am determined that that will happen. Significant investment and resources will be required to meet that demand, but that should not deter us. It is my intention to assist the development of stadium facilities where possible.

**Mr McCallister:** The Minister mentioned the significant investment that will be required to upgrade stadiums in Northern Ireland. Has he considered the effect that such investment could have on much-needed construction jobs?

**The Minister of Culture, Arts and Leisure:** Yes I have, but I should add a caveat. Other honourable Members — not the Member who asked the question — were critical of me and said that a decision should be taken to proceed with the Maze stadium project because it would provide much-needed construction jobs in the current downturn. I made the point, which I hope is obvious to all Members, that, no matter what decision had been taken, we would not have created construction jobs now, three months ago or in three months' time. The need to involve the planning system and the need to consider the options and business case appraisals that would have to be made meant that, whatever the decision, no construction jobs would be available until the 2010-2011 financial year at the earliest.

The answer to the honourable Member's question is yes, but no decision would have meant construction jobs in this financial year. It would not have been possible to proceed in that timescale.

## Voluntary and Community Arts

2. **Ms S Ramsey** asked the Minister of Culture, Arts and Leisure what steps his Department has taken to secure additional funding for voluntary and community arts. (AQO 2992/09)

**The Minister of Culture, Arts and Leisure:** My Department and the Arts Council recognise and are fully supportive of the important role that voluntary and community arts play in promoting community and social cohesion, in targeting social need, and as a vehicle for physical, environmental and social regeneration.

In 2008-09, the Arts Council awarded funding of circa £5 million for community and voluntary arts activities. That was an increase of 31% from the £3.78 million awarded in 2007-08. During 2008-09, my Department has secured additional funding of £500,000 to support the work of the Re-imaging Communities programme. In addition, the Department has contributed £450,000 to the community festivals fund, which leveraged upwards of a further £450,000 support from local councils.

As the Member will be aware, additional funding allocations, which I have outlined, are of particular significance at a time when there are very real pressures on the public purse and many competing priorities.

**Ms S Ramsey:** Go raibh maith agat, Mr Deputy Speaker. I thank the Minister for his answer; it is quite useful to get some of those figures, along with a general overview of the issue. I am happy that the Minister supports the role that the voluntary and community sector and community arts play. I commend him for increasing that funding.

Is the Minister aware of the early findings of Liverpool's 'Impacts 08' assessment? Those early findings were very supportive of money going into voluntary and community arts and the impact that it has had on their city, not only in a social context but in an economic context.

**The Minister of Culture, Arts and Leisure:** Yes, I am aware of those findings. The wider public can often have the view that money going into community and voluntary arts is simply that and no more, producing development in artistic talent but not contributing to the economy. What we have seen and will continue to see over the next 12 to 18 months is significant investment in that sector that will lead to investment in the economy and to people gaining employment when they would otherwise have had great difficulty in doing so.

**Mr P Ramsey:** I welcome the Minister's response to that question. One of the clear indications coming from the Culture, Arts and Leisure Committee's inquiry into the funding of the arts is that there has been higher investment from the private sector in the community arts and other forms in other regions. Does the Minister have any plans or proposals that could help to inject some funding? Ms Ramsey mentioned Liverpool: there was a huge injection of private sector funding that enabled that city to formalise its bid to become the Capital of Culture.

**The Minister of Culture, Arts and Leisure:** I am open to any suggestions or proposals for attracting private sector investment. Now is the time to do that, because, as we begin, I hope, to see the end of the current recession, whether in the current twelve-month period or in the next year, the private sector will be looking for locations to invest in. Investors will look at areas where they would not only derive some significant advantage for their business but could begin to see development in establishing beyond their initial reach. I want to promote and develop that. I would be happy to meet the honourable Member or others who might have ideas or suggestions along those lines.

**Ms Lo:** Given that there has been increased arts funding for the voluntary sector, can the Minister say why the Arts Council has decided to cut the core funding of £60,000 to the Creative Writers Network, which is the main support service for the literary sector and for all our local writers and groups?

**The Minister of Culture, Arts and Leisure:** I am not aware of the rationale behind the decision that the honourable Member mentioned. However, I will ensure that the Arts Council is informed of the basis of her question and that the response that I get is forwarded to her.

### Ulster Scots

3. **Mr Ross** asked the Minister of Culture, Arts and Leisure for his assessment of government support for the development of Ulster-Scots culture and heritage in starting to move towards equality and parity between the Ulster-Scots and Irish speaking communities.

(AQO 2993/09)

**The Minister of Culture, Arts and Leisure:** I believe that parity of funding between Ulster Scots and Irish is required to enable the infrastructure of the Ulster-Scots community to develop so that it can protect and enhance its language, heritage and cultural traditions. In recent years, significant progress has been made in redressing the imbalance in funding between Ulster Scots and Irish. For example, between 2005 and 2008, the funding allocations from my Department for Ulster Scots almost doubled. In the same period, the funding for Irish increased by 6%. It is my intention that the reduction in the disparity of funding will continue in 2009-2010.

**Mr Ross:** The Minister will be aware that there are two very successful Ulster-Scots organisations in my constituency based in Cairncastle and Ballycarry. Both those organisations will be pleased with the improvement in funding. One issue that irritates them is the lack of funding that Ulster Scots has received in the past. Why has there been that historical gap in funding between Ulster-Scots and Irish cultural groups?

**The Minister of Culture, Arts and Leisure:** I am well aware of the two organisations that the Member mentioned. Indeed, I was invited to visit one last year, and I met representatives of the other yesterday. Therefore, I am well aware of their activities, projects and ideas for expansion. I support those expansion ideas, but it is the Ulster-Scots Agency's job to promote and develop them, and I hope that it is doing that.

We all know the various criteria that apply to Ulster Scots and Irish and that they are at different stages of development. However, the fact that the two are at different stages of development, in my view, does not mean that there should also be different stages of funding. I take almost the opposite view: if there is deep interest in both Irish and Ulster Scots, which there is, and if one is at a more advanced stage than the other, it is perfectly obvious what must be done to redress the problem. Pouring more money into the cultural outlook that has been funded and advanced significantly over the years and not giving funding to the one that has not received the same resource is not the solution. Instead, the attitude should be to support the cultural outlook of Ulster Scots, not to diminish or disadvantage the Irish language. It must be ensured that parity is achieved. I hope that I receive the support of the House in following that path, but, if I do not, I will pursue it anyway.

**Mr Brolly:** Does the Minister not agree that it would be better to stop the tedious arguments about the relative merits of Irish and Ulster Scots and the difference in status that the Council of Europe affords to each one? Instead, we should regard them as separate entities and treat them fairly according to their separate and peculiar needs.

**The Minister of Culture, Arts and Leisure:** I do not have a difficulty with the Member's question. However, in treating each cultural outlook according to its own rights, demands and needs, I find that the historical imbalance exists. Members in the House, or people outside the House, can choose to deny that, hide their heads in the sand and hope that that is not the case, but there has been a massive imbalance in funding, a continuation of which I am not prepared to preside over.

3.15 pm

If the opposite were the case, what would I be told? What would any Minister be told if he or she was presiding over tens of millions of pounds being poured into Ulster Scots and miniscule amounts being poured into Irish? I or whichever Minister was responsible for that would be lectured, attacked, lambasted and told to rectify the imbalance. The imbalance needs to be rectified. It is in the process of being rectified, and we will continue until we get it right.

That will not mean underestimating, disadvantaging or discriminating against Irish. That will not be the case, and anyone who infers otherwise is wrong and should look at what I have said and will continue to say. Irish and Ulster Scots need support, will continue to be supported, and parity must be achieved.

**Mr Kinahan:** Does the Minister believe that legislation is necessary to ensure that equality and parity exists between Ulster Scots and Irish across the many cultural manifestations, and what consideration has he given to creating such legislation?

**The Minister of Culture, Arts and Leisure:** I congratulate the Member on his recent election to the House. He mentioned legislation. He will, I am sure, be aware of the attempt to have Irish-language legislation introduced. That route would not be advantageous or productive. The languages strategy, which is the route that I am taking, will be a much better one to achieve the goal of promoting the Irish language, Ulster Scots or any indigenous minority language in which people choose to engage, speak or have a cultural manifestation. All those need to be supported, and a language strategy that takes account of the needs of each is the best way to achieve that. I hope to be able to present that strategy to the Executive in the very near future and then to the Committee for Culture, Arts and Leisure and, subsequently, to the House for consideration.

### Maze Stadium Funding

**Mr Deputy Speaker:** I call Mr P J Bradley.

**Mr D Bradley:** Mr Dominic Bradley, Mr Deputy Speaker, on this occasion.

**Mr Deputy Speaker:** Order. I call Mr P J Bradley to ask the next question.

4. **Mr P J Bradley** asked the Minister of Culture, Arts and Leisure whether approval has been sought for the reallocation of moneys earmarked for the proposed Maze Stadium and for an update on the current plans for those moneys. (AQO 2994/09)

**The Minister of Culture, Arts and Leisure:** I do not care which Bradley it is; I have no difficulty with either.

Under the current capital programme, my Department has the delegated authority to allocate funding that is provided under the social pillar to individual projects in that pillar. Therefore, funding that was allocated originally to a multi-sports stadium can be reallocated without additional approvals. The only requirement is that expenditure remains within the overall allocations indicated by the comprehensive spending review and the investment strategy for Northern Ireland.

I am content that the Department of Finance and Personnel will continue to have the normal approval role for any individual projects that might be outwith my Department's delegated approval limits. I can confirm that £22 million has been reallocated to enable the acceleration of other DCAL projects, including priority sports programmes and projects in the current year. We have, for example, brought forward expenditure on the elite facilities programme and the stadia safety programme. We expect those and other changes to be ratified by the Executive in the June monitoring round.

**Mr P J Bradley:** I thank the Minister for his answer, and I note the spending of £22 million. How much would have been spent over the next three years on sports stadia development, what is happening to that money now, and how much of it will be spent on sport?

**The Minister of Culture, Arts and Leisure:** The Member asks a very general question. The overall sporting allocation was previously outlined, and it will not change. As was outlined in answer to a previous question, I hope to be able to take advantage of the sporting allocation to ensure that expenditure that can go ahead in the current financial year, albeit limited expenditure, is spent so that, for example, we develop some of the smaller grounds in line with the safety of sports grounds programme.

We could also consider the implementation of other measures under the elite facilities programme. It is important that those facilities are in place in the run-up to the 2012 Olympics. Olympic teams could come here to avail themselves of our training facilities, but they will go elsewhere if we cannot offer those facilities. Projects will proceed that may not have proceeded had we not taken decisions in monitoring rounds and on the reallocation of the Maze stadium moneys. The projects will benefit sporting bodies across Northern Ireland, and that will be advantageous for everyone.

**Mr Shannon:** The Minister is well known for his keen support of all sports but, in particular, his support of the Northern Ireland football team. What action is planned to ensure that Windsor Park, the home of the Northern Ireland football team, can continue to host international football in the short term?

**The Minister of Culture, Arts and Leisure:** That is a pertinent and timely question. No football supporter wants Northern Ireland to have to play home games in Liverpool, Glasgow, Kilmarnock or wherever else. Northern Ireland is well placed in the 2010 World Cup qualifying campaign, and one does not want the team to have to play home games on an away ground. It is essential that international football is retained at Windsor Park. I have been informed that only a limited campaign and programme of work are required to ensure that that happens. I will consider that within the



next couple of weeks. I will seek to keep expenditure on the interim work at a level that does not impinge on any long-term resolution that may be reached among the three sporting bodies. Until that resolution is reached, an expenditure of within £1 million should be sufficient to ensure that international football can continue to be played at Windsor Park in the short term.

**Mr Butler:** Go raibh maith agat, a LeasCheann Comhairle. I wish to ask the Minister about the money that was originally allocated to the development of a stadium at the Maze/Long Kesh site. Recently, proposals were launched for £20 million to be granted to upgrade Windsor Park. Raymond Kennedy, the president of the IFA, said that he would seek a meeting with the Minister to ascertain whether that amount of money will be allocated to upgrade Windsor Park. Will the Minister comment on that? It is also perceived that, if £20 million is used to upgrade Windsor Park, the money will go to Linfield Football Club rather than to the IFA.

**The Minister of Culture, Arts and Leisure:** I have made it clear to the IFA and to Linfield Football Club that, depending on the outcome of the proposals that the IFA has put to me, the contract between Linfield and the IFA will have to be renegotiated. A variety of options may be required to develop that outcome, but the contract will have to be renegotiated. Indeed, Linfield referred to that in a recent statement.

I have met representatives from the IFA, the GAA and the Ulster Branch of the Irish Rugby Football Union. Each body has put separate proposals to me for the strategic needs of its sport. If the IFA puts a proposal to me that is similar to what the Member outlined, I will consider it in the context of the IFA proposal. However, there can be no question of a massive improvement of Windsor Park under the terms of the old contract. Neither Linfield Football Club nor the IFA has suggested that that will occur. In fact, almost everyone in Northern Ireland accepts that it will not be the case. A more level playing field for all the other football clubs in Northern Ireland is required, and that will be the case. We need to develop the proposals to the point at which I can bring them to the Executive and then the Assembly for approval, after which we can proceed urgently to resolve the outstanding matters.

### Ulster-Scots Agency

5. **Mr McCausland** asked the Minister of Culture, Arts and Leisure what the Ulster-Scots Agency has done to assist community development and east-west links during his time in office. (AQO 2995/09)

**The Minister of Culture, Arts and Leisure:** As part of a recent review, the Ulster-Scots Agency's financial assistance scheme has been included for consideration in an application for funding community

development workers to advance local initiatives and programmes in the community and to support travel arrangements for events in Scotland. The revised financial assistance scheme is to be presented for approval at the next meeting of the North/South Ministerial Council in language format, which is in a few weeks' time.

**Mr McCausland:** Will the Minister indicate when the agency will introduce the new proposals?

**The Minister of Culture, Arts and Leisure:** The North/South Ministerial Council, which meets in about three weeks' time, will have to approve the proposals. I am hopeful that the proposals can be developed immediately thereafter. Community support officers will be of significant help in supporting and developing the Ulster-Scots cultural outlook and their travel to Scotland, within very strict criteria, to help them to develop the whole Ulster-Scots outlook in its natural hinterland on the west coast of Scotland. It is a welcome development, which I hope will be supported by all.

**Mr Deputy Speaker:** I call Mr Dominic Bradley.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Fuair tú an fear ceart an uair seo. Mr Deputy Speaker, you got the right Bradley this time.

Does the Minister agree that the tripartite project, which is known as the Colmcille project, has done excellent work in fostering east-west relations and links? Does he also agree that there has been a positive cross-community aspect to the project, and can he assure me that it will have continued support?

**The Minister of Culture, Arts and Leisure:** My understanding is that the Colmcille project is doing very good work, as the honourable Member said, and it is proceeding apace. I want to be supportive in so far as I can, but the funding arrangements will be slightly different for that group, because the responsibility for it has changed in the past few months. However, it seems to be doing very good work, and I hope that that work can continue and be funded appropriately.

3.30 pm

### National Stadium

6. **Mr Lunn** asked the Minister of Culture, Arts and Leisure to provide an update on the proposal for a national stadium. (AQO 2996/09)

**The Minister of Culture, Arts and Leisure:** For Members who may have not heard me, I have already announced that the multi-sports stadium at the Maze will not be going ahead. As a consequence, I asked the three governing bodies of the sports involved to make known their preferred alternatives for the stadium site. All three bodies have now responded with their options.



My Department will now prepare a strategic outline case, which will identify the options to be tested in a full economic appraisal, on which the Department of Finance and Personnel will need to sign off. The subsequent full economic appraisal or appraisals will review the shortlisted options for value for money, operational viability, sustainability and affordability. Any appraisal will be carried out to the recommended green book standards and is likely to include variants of the preferred options that the governing bodies proposed. As part of the process, an oversight group that represents DCAL, Sport Northern Ireland and the Strategic Investment Board has been established with a remit to undertake the necessary business cases and to make recommendations on stadium provision.

## EXECUTIVE COMMITTEE BUSINESS

### Budget (No. 2) Bill

#### Second Stage

##### *Debate resumed on motion:*

That the Second Stage of the Budget (No. 2) Bill [NIA 8/08] be agreed. — [*The Minister of Enterprise, Trade and Investment (Mrs Foster).*]

**Mr McCallister:** I regret that Mr Weir is not in the Chamber, but I am happy to answer his question about my colleague Lady Sylvia Hermon. She supported the Government to give the DUP a chance to organise itself following its humiliation in the European Election.

It is strange that the DUP seems determined to keep attacking the Conservative Party's proposals, when it failed to notice some of the small print in the Chancellor's Budget speech. The Chancellor indicated that, when debt charges are taken into account, there could be cuts amounting to 7%. He also said that after 2013 capital spending will drop from 3.1% to 1.3% of GDP. This morning, we heard that 350,000 public-sector job cuts may occur under Labour. The Conservatives have promised to safeguard key services; yesterday, the shadow Chancellor, George Osborne, wrote:

"we have also used the past four years to change our party and affirm our commitment to the values of our public services. We protect health spending because our priority is the NHS. We protect overseas aid spending because of our moral commitment to the poorest and the millennium goals we promised them."

The DUP may consider that there is some PR advantage in attacking the Conservatives for what they might do. However, in truth, the DUP has not put forward a single credible, deliverable policy to sort out the mountain of debt that will be inherited from the Labour Government. People are not stupid; every one of us is aware of the current economic mess. People want a Government with a clear set of policies to clean up that mess. The DUP's sound bites and cheap attacks only highlight its lack of solutions, and my colleague David McNarry has been making that argument for months. George Osborne, the shadow Chancellor, said:

"Perhaps the most important lesson from around the world is that if you talk honestly to the public about the spending decisions that need to be taken, they will respect you and support you."

**Dr Farry:** Will the Member give way?

**Mr McCallister:** Oh, very well. Have two goes, Vince.

**Dr Farry:** Will the Member explain why David Cameron and the rest of the Conservatives have been so keen to silence Andrew Lansley? He let the cat out of the bag, and they seem to want to keep the news of the pain until after the general election.

On a wider point, will the Member answer the points made by several Members in the Chamber when they highlighted a number of ways to tackle the large debt burden beyond simple cuts in spending? For example, changes to the taxation system must be considered. Sometimes, reducing taxes can increase economic activity, which produces a greater tax take. Is there a wider range of options available to address the debt burden, rather than simple spending cuts?

Also, does the Member recognise that it is legitimate for Governments to invest in economic recovery? That is a well-established Keynesian economic theory. At the start of his contribution, the Member seemed to regard such investment as extremely unusual. It is, in fact, mainstream economic thinking.

**Mr Deputy Speaker:** I remind Members that interventions should be short.

**Mr McCallister:** Thank you, Mr Deputy Speaker. The young Vince Cable has not quite got the hang of short, snappy interventions yet.

Dr Farry made several points. I was relieved to hear him suggest that tax cuts could stimulate economic activity in some places: we may make a Conservative and unionist out of him yet.

I was about to address some of the points made by other Members. Mr Hamilton made a similar comment to Mr Weir's; namely that cuts are not inevitable. However, there is an inability to take difficult decisions, at which my colleague Mr McCrea hinted. For example, no decision has been taken, nor leadership shown by the Executive, on water charges. Will the Executive introduce water charges? What are the implications for VAT and the Treasury? All such decisions could have a huge impact on Northern Ireland's budgetary position.

**Mr Hamilton:** Mr McCallister has raised the issue of the challenge that water charges present to the Executive, of which two of his party colleagues are members. It is well-acknowledged that that undoubtedly presents a major challenge for the Executive. The Member is encouraging the Executive to take a tough decision on water charges; therefore, do he and his party advocate that the introduction of water charges should commence as quickly as possible? Alternatively, does he accept, as I believe that the rest of us in the Chamber do, that the introduction of water charges for domestic customers at this moment would be detrimental and retrograde in the current circumstances?

**Mr McCallister:** I am recommending that the Executive make a decision. That is the problem with so much of what is going on in this place: the Executive have not made a decision on water charges.

**Mr Hamilton:** Clearly, the Executive have taken a decision in the current year to defer water charges. Is the Member now saying that, in the midst of very difficult circumstances for individuals and households faced with the potential cost of water charges, that was the wrong decision?

**Mr McCallister:** Mr Hamilton seems to misunderstand my point. A Member who sits on the Committee for Finance and Personnel should know that the decision on water has huge implications. There are also VAT implications in relation to the Treasury guidance on Northern Ireland Water.

There is huge pressure for the Executive to make a decision on this and set out a long-term strategy for how we fund water; how we fund the much-needed investment in water; how we fund other public services; and how we protect families who are under pressure from increased debt. I accept that many families are under a lot of pressure, but my point is that the Executive must consider these issues. Mr Hamilton has said that cuts are not inevitable, yet he appears to be living in a cloud cuckoo land where you can have it both ways. That is not possible; Members must start being honest with the public.

**Mr McCarthy:** There is nothing that I like better than an honest politician. Will Mr McCallister tell the House here and now that the Ulster Unionist/Conservative/Tory party will introduce water charges? The Member's party is part of the Executive and the House must have an honest answer.

**Mr McCallister:** We have two Ministers on the Executive, neither of whom is in charge of water. The Ulster Unionist Party's position is clear; it has been opposed to water charging throughout. We have included that policy in manifestos. All that I am calling for today is some honesty from other parties about how they would fund water. How can they continue to say that they do not want cuts in public services, do not want anything to change and that they will somehow go to Westminster and deliver all those services?

It is a fantasy to believe that all of that can be achieved without imposing charges, finding other sources of revenue, or cutting spending on public services. There has been opposition to the ring-fencing of National Health Service spending. The DUP has been opposed to the creation of the Public Health Agency, which will help improve the health of our population in the long term. The DUP has opposed banning above-the-counter sales of cigarettes in an effort to address the public health issue, even though that move will save money in the long term.

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

**Mr McCallister:** I will, provided that Mr Hamilton is very quick.

**Mr Hamilton:** There is so much to say that it is very difficult to be quick. First, the DUP does not oppose doing away with the display of tobacco products. *[Interruption.]* Yes, hold on a second. Given the current circumstances, the DUP has taken the very sensible and prudent position that the ban should not be implemented here before it is implemented in the rest of the UK. Indeed, I thought that the Member, as a conservative and a unionist, would have accepted that there should be a common position across the United Kingdom.

Mr McCallister keeps raising the issue of inevitability, yet his party leader was quoted yesterday as saying that cuts were inevitable. There is a ludicrous element to this argument. We have a settled financial position up to the end of the CSR. Nobody knows what will happen beyond that period. It may prove to be more difficult than now.

However, to run around talking about the inevitability of major cuts and saying that that option is the only choice is scaremongering to a great many people in Northern Ireland who are employed in the public sector and, more importantly, to those who are dependent on public services. A massive amount of scaremongering is going on, the subject of which is untested in reality, because we cannot deal with financial situations beyond 2011 that have not yet appeared.

**Mr Deputy Speaker:** I remind Members to keep their interventions short. Members should also address all their remarks through the Chair.

**Mr McCallister:** I will follow on from Mr Hamilton's speech. His argument about the smoking ban was bizarre. The idea that a party such as the DUP would put finance before saving lives is shameful, and —

**Mr Hamilton:** Will you give way?

**Mr Deputy Speaker:** Members must direct their comments through the Chair.

**Mr McCallister:** I have been more than generous to Mr Hamilton, and, on this occasion, I want to address some of Mr O'Dowd's points. One can see that the DUP has been teaming up with Sinn Féin. Mr O'Dowd's contribution was a mixture of him trying to distance himself from Mrs Thatcher and his praise for the person to whom he looked for advice about managing a household budget: his mother. I believe that Mrs Thatcher was one of the first people to draw an analogy between running a household budget and running an economy. Therefore, he may wish to ask his mother how he can continue to spend more money than he earns, which is one of the issues facing the Assembly.

**Mr O'Dowd:** The only thing that Mrs Thatcher and I have in common is that we both have mothers. The Member's colleague Basil McCrea said that the only

option is to cut public services. Does the Member support that point of view?

**Mr McCallister:** If the Member wants, I will allow Mr McCrea to answer that question. The Ulster Unionist Party is saying that other parties in the House seem to be oblivious to the fact that we are in an economic crisis. They seem to be sailing along, thinking that 2011 is a long way off and that we do not need to worry about it: let us keep spending as we do not need to think about who will pay for water charges, how we will handle the economic downturn, the fact that the economy is in crisis and the debt that we will inherit from the Labour Government. Mr O'Dowd's party seems to think the same way.

**Mr B McCrea:** Does the Member agree that the parties opposite appear to be saying that under no circumstances will there be cuts and that, consequently, they are not prepared to consider any efficiencies or ways to do things better, or to address the new realities that we face? In fact, while the country is running headlong into a crisis, their heads are in the sand.

**Mr McCallister:** I completely agree; their heads are in the sand. Indeed, Mr O'Dowd spoke about looking to the Republic of Ireland. Of all the economies in the European Union, we should not be taking our lead from the Republic of Ireland. We must be realistic about what will happen after the current spending cycle, and the fact that the Executive have not had the courage to bring forward another Budget and that they refuse to reconsider the budgetary process and the Programme for Government demonstrates that we are not being real. In fairness, even the Alliance Party admits that we may have to consider other options, and the young Vince Cable floated the idea of tax cuts in order to stimulate parts of the economy.

I accept some of Mr O'Dowd's points. So far, the Executive have found it difficult to address the needs of marginalised people and those who have been left behind. Even during the years of economic boom, a considerable number of people in Northern Ireland, especially in some working-class Protestant areas, and throughout the United Kingdom have suffered because of health inequalities and educational underachievement. We must begin to address those problems and get a grip on what we are doing and on our long-term goals.

3.45 pm

**Mr B McCrea:** In the interests of equality, will the Member join with me in calling for massive investment in Protestant working-class areas, in which there is absolute educational underachievement? The real root of trouble in our society comes from not giving those people every opportunity to succeed. Our party alone will lead those people to the promised land.

**Mr Deputy Speaker:** Order. I ask the Member not to give way again because there have been quite a few interventions. I think that there have been 10, and I am sure that the Minister wants to respond.

**Mr McCallister:** I am grateful, Mr Deputy Speaker. I would have given way to Mr Hamilton again, but there is no time. I draw my remarks to a close by pointing out that it is strange that the DUP is so content to keep attacking Conservative and Unionist policies when, at some point, probably next year, it will have to lobby a Conservative Chancellor.

The UUP believes in making the case for Northern Ireland by attending policy meetings, working up a proper policy agenda in the run-up to the next general election, assisting our Conservative colleagues and telling them what we would like Northern Ireland to become. We should steer Northern Ireland towards being an enterprise zone. We want to see some of the costs of division —

**Dr Farry:** Should we have tax-varying powers?

**Mr McCallister:** In the hands of the Alliance Party or Sinn Féin, tax-varying powers would inevitably be tax-raising powers. I would happily give way, but the Deputy Speaker has directed me not to.

**Mr Deputy Speaker:** I again remind Members to address their remarks through the Chair.

**Dr Farry:** Will the Member give way?

**Mr McCallister:** I would happily give way, but the Deputy Speaker has ordered me not to. Our two great parties, the Ulster Unionist Party and the Conservative Party, will work together to produce and deliver Northern Ireland-friendly policies for the difficult years ahead. What, precisely, does the DUP have to offer?

**Mr O'Loan:** I am pleased to be able to contribute to the debate on the Budget (No. 2) Bill, although, of course, it is the wrong Budget Bill. We should have a very different Budget Bill in front of us as a result of very different budgetary circumstances.

I remind the Assembly of two things. As we have said before, under the Northern Ireland Act 1998, an annual Budget ought to be delivered to the Assembly, but that has not happened. We can now look at the wisdom of that piece of legislation because, even in ordinary times, it is necessary to create a fresh Budget so that one can properly manage the affairs of Government. We do not live in ordinary times — we live in the most extraordinary times. We join with every serious economic pundit who comments on affairs in Northern Ireland in saying that, given the recession and the extreme economic circumstances in which we find ourselves, there was an onus on this Assembly and on the Executive to address the situation by reconsidering the Programme for Government and

the accompanying Budget. I regret the nature of the Budget that is before us.

The absent Minister of Finance and Personnel said that he must always be flexible and responsive to changing circumstances. I have previously referred to a senior official who spoke about the need for a cessation of low-priority programmes. More recently, another senior official came before the Committee for Finance and Personnel and referred to redrawing the Budget. The Minister talks about being flexible and responsive, but, in fact, there is nothing flexible and responsive about what he has done.

I gave credit yesterday, which I repeat today, to certain initiatives that have been taken, within existing Budget lines, to respond to the recession. However, the circumstances of the moment called for something much more radical.

Before making my remarks, I want to comment on some points that have been made already. John O'Dowd made a couple of interesting contributions. He asked whether we are charting a course for economy recovery. It was clear that his answer to that is no. Referring to the marginalised and the economically disadvantaged, he said that the Executive and this institution are not delivering for them. One might be forgiven for thinking that Mr O'Dowd was forgetting that his party is rather intimately involved in what emerges from the Executive and that his colleague is the deputy First Minister. Implicit in his language was subservience to the Democratic Unionist Party. It was clear that he knew who calls the shots nowadays.

In his response to something that John O'Dowd said, Stephen Farry referred to the UK subvention and how we would need the cushion of a population of 60 million, which the island of Ireland could not support, to provide us with that large subvention. That is a counsel of despair. Are we to be condemned for ever to be a poor region of the United Kingdom? That is fundamentally what we are being offered. Those sorts of statements indicate the psychology — a very dangerous psychology — that lies beneath them. We must find a way in which to stand on our own two feet and think for ourselves, instead of being trammelled by the kind of constraints to which Dr Farry referred.

Stephen Farry also said much about a shared future. I agree with and support much of what he said, and I acknowledge what he said about the Minister for Social Development's contribution to shared-housing initiatives. He overstates the case, however, when he talks about other matters. Much of what he and his party put forward on a shared future is a blancmange of easy tolerance and removes what he considers to be the unfortunate obstacles of diversity to a degree that is impractical, unattainable and, in fact, undesirable. He essentially proposes the model of integrated education



as the ideal. If that argument is taken to its logical conclusion, he is saying that that should be a primary policy objective. I would say that, as well as being unattainable, that would not be a sound policy objective.

I will now move on to my own comments. I shall start with a few more remarks about Workplace 2010, which was referred to yesterday. In the debate on the Supply resolution for the 2009-2010 Main Estimates, the Minister of Enterprise, Trade and Investment said the following, which is quite revealing:

“the reasons why the project was not completed were external, and did not represent a failure by the Executive to proceed with it. It was simply the case that both contractors who were involved in the competitive tendering process joined together, and as a result, there was no competitive tendering. That was the issue, and we could not proceed.” — [*Official Report, Bound Volume 42, p46, col 1*].

I think that she is right, but that was not the reason for the collapse of Workplace 2010 that was given to the Assembly, the Finance Committee or the public. A document on the Workplace 2010 website provides the same argument and text that has been used in the other places to which I referred. It states:

“Following this review, and as a result of discussions with the now combined Telereal/Trillium business, the parties have decided that it will not be possible to conclude the current Workplace 2010 procurement process in the foreseeable future. This is because exceptional market conditions have made it difficult to obtain debt finance for this type of property-related contract, and because of the fall in the value of commercial property.

Consequently the current procurement has been terminated.”

That is a totally different reason. I draw the conclusion — and, as I said, I agree with the Minister —

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

**Mr O’Loan:** I have not finished drawing the conclusion, but I am willing to give way.

**Mr Hamilton:** Perhaps I will draw it for the Member. Does he agree that the two arguments that he has cited are not mutually exclusive? I do not think that it was ever said that one argument excluded the other.

**Mr O’Loan:** Let anyone inspect the record, and they will find that the quotation that I have taken from the Workplace 2010 website was put forward as the unique and sole explanation for the collapse of the project, and not the reason that the Minister gave yesterday. That is so important, because there are various ways in which the reduction of the process to two bidders could have led to difficulty and the collapse of the project, one of which ensued. That means that the process of carrying out the project contained within it a fundamental flaw, and the Minister revealed that yesterday.

Some £175 million was to come from Workplace 2010 receipts. Yesterday, the Minister said that:

“The potential of £175 million from Workplace 2010 receipts was factored into the plans for 2008-09. However, the loss of those

receipts was managed through the in-year monitoring process. Lower construction costs also provided an opportunity for Northern Ireland Departments to procure capital projects at lower cost.” — [*Official Report, Bound Volume 42, p46, col 1*].

We are coming to a situation in which the Budget can be balanced only if various projects collapse or drop out. We are starting to see the collapse of projects being presented not as a failure of the Executive to deliver, but as a virtue. That was implicit and put forward directly in what the Minister said yesterday. That is a dangerous situation.

Yesterday, I referred to a third issue arising from the Workplace 2010 debacle, and I will repeat it today, because it has serious implications for the Budget. The issue of the Civil Service estate remains unaddressed. When Peter Robinson was Minister of Finance and Personnel he said:

“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.”

Workplace 2010 was described as an absolutely essential part of the Civil Service reform programme. The Workplace 2010 website states:

“Workplace 2010 involves the introduction of new accommodation standards, including open plan working, which will enable the NICS to rationalise its existing estate and dispose of surplus, poor quality accommodation.

This ambitious and challenging programme will deliver: modern, flexible and efficient workspace for staff; accommodation that meets business needs; a smaller, more efficient estate; value for money for the taxpayer; an environment that will support and enable significant and lasting change.”

All of that, which was absolutely necessary, has not been delivered, and the Minister has not made a revised proposal to provide it in this year’s Budget, or even to embark on solving the difficult problem of the Civil Service estate.

4.00 pm

I will comment briefly on the current failure to bring forward proposals to implement the Bain Review’s recommendations on the location of public-sector jobs. As I said yesterday, from the start of the Assembly’s mandate, that was one fundamental policy issue on which all parties were united in calling for action. The independent review by Sir George Bain and, as he put it, its “modest” proposals, created the template for that action. However, the Minister has not brought forward proposals, and, in fact, has been the most negative and cautious contributor in the Assembly on that matter.

Consultancy fees have been much talked about. Not all such fees are unjustified, and we must be careful in what we say about that issue. However, considering the scale of consultancy fees, there is no question that an issue exists. Yesterday, I suggested that we might

obtain much better value for money by utilising the university sector here.

My main point is that there is an indicator of political stagnation in the reliance on consultancy advice. When the Assembly was established, there was a view that the Civil Service had become atrophied but that the new political regime would sort that out. Now we see that the political system has itself atrophied; the system is not moving on, and it has the same dependency on outside consultants as was the case previously.

I wish to comment on the Finance Minister's answer on the issue of dealing with the current problems. He said that they will be dealt with through the monitoring rounds. It is clear that monitoring rounds do not provide a strategic answer to the problems of the moment. For example, they do not provide what one senior civil servant described as the "cessation of low-priority programmes". They allow only the redistribution of money from programmes that simply cannot go ahead and must return their money to the centre. That is the most modest redistribution of money, and, as a method of achieving a Programme for Government that is adjusted to meet the real needs of the moment, it is inadequate. I can now refer accurately to our Minister of Finance and Personnel as our Minister for monitoring rounds.

I support what Stephen Farry said about addressing the twin issues of the further £123 million of efficiencies that will be taken from the Northern Ireland Budget and the Barnett consequentials, which, over two years, total £116 million. I agree with him that we should not simply wipe our brows once again and claim that we have got away with it, and use the £116 million to largely cover the £123 million. We must use the Barnett consequentials for the purposes for which they were created. In the Budget for Great Britain, those purposes included business modernisation; training and employment; renewable energy; low-carbon technologies; social housing and energy efficiency. Let us put that money to work for what are particularly good purposes.

As I have said previously, the establishment of the performance and efficiency delivery unit (PEDU) was announced with much fanfare, but we have seen little output from it. Major questions must be asked about PEDU, and we must ask about its work programme for the future, because we know that it is remarkably limited.

I will comment on some of the pressures that exist in the Budget for this year. The first, and one that is often not noted, is that we are starting with a Budget that is overcommitted. The Minister may inform us of its level of initial overcommitment, but it is considerable.

The second major pressure facing the Minister is the equal pay issue. There has been an extreme delay in seriously engaging with that issue, and it has been 13

months since the previous Minister of Finance announced his willingness to negotiate on the matter. Only now are we starting a three-month review of one critical part of the solution. That is not fair to the civil servants who are involved, and it is causing a deep feeling of unfairness. The costing of at least £100 million that the Minister gave at the time is not provided for in any way in the Budget.

Water charges have been deferred, and that has left a considerable gap in the Budget for this year. The asset sales that were predicted have not materialised. This year, further efficiency savings of 3% will be demanded. Yesterday, I quoted serious anecdotal evidence from senior managers in the Housing Executive and the Health Service of the extent to which that is bearing down. The general comment that one hears is that the budgetary situation in agencies and spending sections of Departments is more difficult than it has been at any time in the careers of the staff who are involved.

I referred to the extra £123 million of efficiency savings. Also coming up is the issue of the £200 million asset at Crossnacreevy, which is now worth only £6 million.

What are we doing with the money, and how well are we spending it? That is as critical an issue as allocating budgets in the first place, and the Minister accepts that fact. I will comment on one point that the Minister of the Environment made in his statement this morning when he talked about the relationship between the development plans and major economic developments. He went on to say that his planning reform proposals are not able to progress, that he is in danger of losing them, and that they are stuck with the Executive and the deputy First Minister. That was perhaps the most explicit statement about difficulties between the Democratic Unionist Party and Sinn Féin. It is an extremely important issue, and, clearly, it begins to be part of the explanation as to why a very small volume of Executive business is coming before the Assembly.

I want to refer at considerably greater length to the monitoring of targets in the Programme for Government. I will quote from yesterday's Official Report what the First Minister, Peter Robinson, said about the issue. Those of us who were in the Chamber at the time would have noticed that he was very calm and collected about the matter and that he was very reassuring indeed.

I will give a few quotations that illustrate that. In answer to the first question of the day he told us:

"On 5 March 2009, the Executive finalised the formal delivery framework for the Programme for Government. Structures and processes have been established across Departments to monitor and report on performance." — *[Official Report, Bound Volume 42, p 23, col 2]*.

One might say that that is all very healthy. He went on to say:

“a lead Minister and a senior official have been assigned to each target and commitment in the Programme for Government. Therefore, a person has been identified as being responsible for answering for each of the key goals... Each Department assesses where it stands on meeting those key goals through a traffic-light system whereby progress is identified as red, amber — an amber/green category has crept in — or green. Therefore, we know whether people are meeting their targets in each Department. Those results will be gathered in a delivery report, which will come to the Office of the First Minister and deputy First Minister (OFMDFM) and will be monitored by my officials.”

He added:

“that scrutiny will allow us to see where we are falling behind and, therefore, where more energy, or even resources, may be required to meet those targets.” — [*Official Report, Bound Volume 42, p24, col 1*].

So, all is well in the world of delivering the Programme for Government, one may say. One may wonder, then, why the Committee for Finance and Personnel received a document last week that tells a different story. The subject of the document was the progress on establishing a performance management framework for delivery of the PFG targets and commitments.

I will make two remarks as an aside. First, it has been two years since this Assembly and this Executive started business, and only now are we at the stage of developing a mechanism for verifying that the things that we agreed to do in the Programme for Government are actually being done. Secondly, the document I am referring to comes from the aforementioned performance and efficiency delivery unit. I wonder about that. That unit was supposed to be a powerful instrument that would swoop in on serious problems, analyse them to death in a very short period of time, deliver an answer to the body that requested it, and move on again. Yet here it is apparently doing core work of the Department of Finance and Personnel, which one would not expect PEDU to be involved in at all. I draw some conclusions about PEDU from that.

As I said, the document gives a different story about the monitoring of targets. It tells us:

“On the 7th January our Minister wrote to Ministerial Colleagues to highlight certain issues of concern around the robustness of the Delivery Agreements stating that DFP officials would be engaging directly with departments with the aim of ensuring that improvements to the Delivery Agreements were actioned.”

It goes on to outline two key issues of concern, the first of which is about the fact that public service agreement (PSA) targets require Departments to work closely together, and the second of which is about indicators that have yet to be fully developed. The annex of the document deals with key themes and issues, of which there are seven. They are all detailed criticisms about what is not present and what is not

working in the system of monitoring: five of them are very serious, two are less serious.

The first states that there is no statistical data or baseline, and:

“a number of the returns on individual indicators record that no data is available either because the baseline and associated indicators have not yet been agreed or that such information will not be available until a future date. In at least one case, for example, it is reported that the baseline for a target to be delivered during the PFG period 2008-2011 will not be available until 2010/2011.”

The second deals with long-range targets and the availability of milestones, and states that, when the targets are long range beyond the current CSR period, no milestones have been identified within the CSR period.

The third theme is headed:

“No evidence of cooperation between departments:”

and states:

“many of the PSAs are cross cutting in nature and require actions to be carried out by a number of Departments. To facilitate a joined-up focus on delivery it was anticipated that during the preparation of delivery agreements, the lead department would establish a board drawing representation from key contributors, including, where appropriate, officials from other departments. There is little evidence that to date PSA delivery boards have been established in this regard.”

4.15 pm

At this point, I think that I am entitled to make an aside that the SDLP remarked on the requirement to have Executive programmes to deal with such issues as childcare and poverty, and we pointed out the need for cross-cutting work. We were told that we should not have any fears because all of that was covered by the PSAs and that they would nicely join up. However, the document provides evidence that, two years after the Executive started their work, the PSAs are not even starting to be joined up.

The fourth point is about the inconsistency in Departments' assessment of red, amber and green (RAG) status. Mr Robinson said that that was all fine and that everyone was working nicely on their reds, ambers or greens. The document states:

“the RAG system aimed to provide a clear and transparent assessment of progress with very clear guidance issued to departments. Notwithstanding this, however, there are considerable inconsistencies in how departments have assessed progress.”

The document's fifth point is:

“Mitigating measures to bring delivery back on track: Very few returns set out what action departments propose to take to either bring delivery back on track or move from a red to an amber/amber/green assessment.”

Its sixth point is one of the relatively small criticisms:

“PSA delivery agreements not agreed: for a very small number of PSAs it is apparent that not all elements of the delivery framework have been agreed.”



The seventh point is on the changing of targets:

“It was apparent in the departmental monitoring returns that a number of the targets have been amended by the responsible department.”

So, insert: “if you are not meeting your target, change your target”. The document goes on to say:

“Targets can only be amended with Executive agreement.”

The needs of the time demanded that a revised Budget should have been produced, but we did not get one. Are we delivering on the existing Budget? Those in DFP and OFMDFM who are leading the process of analysing whether the Executive are delivering on it do not know the answer because they do not have the mechanisms for measuring it.

**Mr McCausland:** I support the Budget (No. 2) Bill, which will authorise departmental spend as it is set out in the Bill. I shall pick up on points that have been made by a number of Members. Basil McCrea — quoting George Osborne, of course — asked how the Executive intend to deliver when money is tight and public-sector cuts are the only option. Unfortunately, Basil McCrea failed to say where the cuts should be made and in which Department they should be made. In fact, the onus is on each Minister to handle his or her budget and to ensure that the money is spent as effectively as possible.

The big-spending Departments are the Department of Health, Social Services and Public Safety and the Department of Education. For example, the Bill allocates a figure of almost £18·75 million to a particular sector of the Department of Education, but what is to be prioritised within that? I fear that the Minister of Education might, once again, “deprioritise” the Youth Service, which should be a priority service in the Department. Questions must be asked of the Minister of Education about how she sets her priorities within the Budget allocation of the Bill.

**Mr B McCrea:** I had hoped to interject before the Member moved on to talk about the Minister of Education.

In my speech, I said that the Department of Health, Social Services and Public Safety must be prioritised because it is £300 million per annum behind the rest of the UK. I am sure that the Member will agree with my colleague Mr McCallister and me that the lives of our people come first.

I also indicated that the Departments most involved in the economy — the Department for Employment and Learning and the Department of Enterprise, Trade and Investment — should be given priority and that that is in line with the thinking of this House.

**Mr McCausland:** I note that, once again, even when he has the opportunity, Basil McCrea fails to tell us where the cuts are to be made. Which services, or

which Departments, should face cuts? I will return to some points that John McCallister made. That question was put to him and again there was a failure to address and answer that question. In the past 10 years, if we look at the number of administration staff —

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

**Mr McCausland:** A little patience is a good thing.

Over the past 10 years, the number of administration staff in the National Health Service has risen by over 30% and the number of managers has risen by 100%. It may be that some fat on the administrative side of the Health Department could be cut away, with the saving being directed towards front line services.

I will give Mr McCallister the opportunity to respond.

*(Mr Speaker in the Chair)*

**Mr McCallister:** Does the Member accept that there will have to be cuts at some time, or does he have his head in the sand and believe that there will be no cuts at any stage?

**Mr McCausland:** The Member should know more about that than me. I will return to my point in a moment; the Member has taken me over this matter twice. Were there to be a Conservative Government, there will be no escaping the fact that a Conservative Government will mean Conservative cuts. Until we see what sort of cuts his colleagues will impose on Northern Ireland, we just do not know what will happen.

I return to the issue of education, which is a priority. I agree with Basil McCrea about the importance of directing resources towards those in our society who are underachieving, particularly boys, and particularly those in disadvantaged Protestant areas. However, the Committee for Education is addressing that issue, and we need to keep pressing the Minister on that because although she has a budget, the question is how she will prioritise it. In view of her constant references to equality, I am sure that she will want to ensure that appropriate resources are directed to those who are educationally disadvantaged so that that can be redressed.

I now address the Minister of Enterprise, Trade and Investment. I am sure that, when reviewing her budget, she will want to look at the role of Tourism Ireland. Tourism is important for helping the economy and creating jobs. One of the least successful aspects of our tourism infrastructure is Tourism Ireland. Given the investment that Northern Ireland makes in Tourism Ireland and the resultant numbers of tourists coming here compared with those going to the Republic, it is clear that a lot of work remains to be done. I am sure that the Minister will continue working with Tourism Ireland and challenging it as regards its targets and the reward that we get in Northern Ireland for our investment in that body.



I also wish to pick up on points raised by Dolores Kelly and Stephen Farry. Several Members raised the issue of a cohesion, sharing and integration strategy. We need a robust and comprehensive strategy for cohesion, sharing and integration if we are to achieve a Northern Ireland society based on equality, diversity and interdependence. My party is committed to such a strategy and, as I look around the Chamber, I see a number of other parties committed to such a strategy. However, as several Members have said, that has not come through yet. The only conclusion that one can draw from that is that it is because of the unwillingness and intransigence of Sinn Féin in that regard.

The strategy has not come through as a result of our system of government, and that is why we want to change that. I hope that we will see movement in that direction as others recognise that we need to amend the system of government so that it is not possible for such Members — I suppose I can describe them as “backwoodsmen” — to hold us back from a shared future.

Lessons can be learned from ‘A Shared Future’ about general expenditure in society. There are savings to be made in certain areas, and one of the obvious examples is teacher training. A lot of money could be saved by simplifying the system and having a single teacher-training college. There is no logical reason, or any other kind, that anyone could put forward with any credibility to explain why there should be two teacher-training provisions when, in fact, one would suffice for a place the size of Northern Ireland. I hope that that will be addressed as a way to save money that could be directed to other services.

We can also look at the review of public administration with regard to education. We have started to unpick the system. It has been deconstructed. We are now trying to construct a new system, which must be based on the principle of equality across all the sectors. Over six months ago, the Education Committee wrote to the Minister to ask for a list of, and an explanation for, all the inequalities in the education system, including sectoral inequalities. It took the Minister six months to produce an answer, and when we got that response six months later, after there had been further communication and questions asked, that particular element of our query had not been answered.

The approach that is taken towards the review of the education system must be based on equality and efficiency and on the principle of a shared future. That is bound to have implications for the schools estate and various other matters. It must mean an end to any preferential treatment of one sector over another.

Stephen Farry talked about the duty that has resulted, I suppose, from the Belfast Agreement to promote Irish-medium education and integrated education. If there is to be equality, all sectors must be

promoted. It should not be the case that two sectors are picked out for special mention and attention; every sector should be treated equally. I hope that as we move forward, a system, administration and structure for education will be achieved in which there is not only equality, but efficiency.

I return to John McCallister. I am still disappointed because in spite of the best efforts of my colleague and others at this end of the Chamber, and of Kieran McCarthy, who was valiant in his attempt to achieve it, we could not get an answer from John McCallister. Can he not simply give the House a yes or no answer? Does he advocate water charges, yes or no? I am more than happy to give way to him as long as I get a yes or no answer. A simple answer will suffice. Is there one?

**Mr McCallister:** The Member always tries to set out preconditions. The point that I was making on water charges was that, at some stage, we have to have a debate. The Executive must bring forward proposals. If the Member is asking whether I am for or against water charges, the answer is that, of course, I am against them. However, we have to have that debate. The Minister must answer questions about VAT and funding. This debate is on the Budget. There are serious funding issues.

**Mr McCausland:** I am glad that eventually —

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

**Mr McCausland:** If Basil McCrea will just listen for a while, I will respond to John McCallister. I am glad that, eventually, we managed to drag an answer out of him. I am sure that Kieran McCarthy and everyone else in the Chamber will be delighted to have finally gotten an answer. It is unfortunate that he ran away from the question for so long this afternoon.

As I said earlier, there is no escaping the fact that Northern Ireland’s future financial position is bound to be influenced by what the Government at Westminster do. We are part of the United Kingdom. I agree with Mr McCallister that that is a good thing. However, the result of that is that, of course, if his colleagues and friends in the Conservative Party are in Government, Northern Ireland faces substantial cuts. He must take responsibility for those cuts, which will be imposed by people who operate under the Conservative and Unionist Whip at Westminster. He will be part of that system, or at least his party will.

4.30 pm

Those are the main issues that I want to raise. Most other issues have been covered at some length. I welcome the fact that we are having this debate, which has teased out quite a lot of —

**Mr Durkan:** The Member was clear in the question that he asked Mr McCallister, so will he set out, very clearly, where he stands on the issue of water charges?

Is he for or against them? We have been told, on behalf of the Executive, that water charges have been deferred, so does that mean that the Budget that the Assembly passed last year provided for the imposition of water charges? How could water charges have been deferred if they were not provided for? They could only have been provided for in a Budget.

**Mr McCausland:** Mr Durkan was actually the person who first proposed water charges; there is no getting away from that fact. On that point, I finish my contribution.

**Mr B McCrea:** Yes or no?

**Mr McCausland:** Mr Durkan was the first person to propose water charges.

**Mr B McCrea:** Yes or no?

**Mr McCausland:** He was the first person.

**Mr B McCrea:** Yes or no?

**Mr McCausland:** He was the first person.

**The Chairperson of the Committee for Employment and Learning (Ms S Ramsey):** I am not keen to join the debate at this point because I am enjoying watching 'The Muppet Show'. I do not know which Members are supposed to be Waldorf and Statler, but it is great to hear some of the comments.

**Mr B McCrea:** Name names.

**Ms S Ramsey:** You two are Dastardly and Muttley.

Go raibh maith agat, Mr Speaker. Considering the lengthy contributions made by some other Members, the House will be glad to hear that I do not propose to speak for too long. The Committee for Employment and Learning will meet departmental officials tomorrow to discuss in more detail the Budget and spending in general. We will make recommendations to the Minister for Employment and Learning after that.

As other Members said, there is no escaping the fact that our economy is in the middle of a deep recession. Unemployment is increasing, people are struggling to get credit and, as a result, the housing market is frozen. The Assembly should not run away from addressing the other issues associated with the recession; however, it has already addressed some of the more serious issues. There is a danger that people will fall into an underclass in which they cannot find work and cannot be reached by the skills and training programmes that are available through the Department for Employment and Learning.

The Committee has chosen to look at the economic difficulties in the most holistic way possible. We have looked at the Executive as a whole and, on numerous occasions, have written to Ministers, not only the Minister for Employment and Learning, about our concerns. We will continue to do that because we

recognise the benefit of the Executive taking a joined-up approach that will get us through these difficult times as painlessly as possible.

One of the Committee's key messages is that all Departments must bring forward capital investment to stimulate the construction industry. We have had countless debates in the Chamber about the construction industry. Such investment will stimulate other sectors and cause a ripple effect throughout the economy.

The Department for Employment and Learning has been updating the Committee fortnightly on the number of apprentices who have been made redundant since September 2008. The current total stands at just over 15,000, which is a concern in itself, especially if you consider that many of those being made redundant are young people who are only starting out in their career.

The Committee has tabled a motion for next Monday on its report on the way forward for apprenticeships, which includes a number of recommendations. The apprenticeship programme can help people to get jobs during the economic downturn and help prepare society for when the upturn comes.

Some businesses have to make cuts during a recession, and many employers in this part of the world view training and skills development as a luxury that they cannot currently afford. This is the most important time for businesses to invest in skills. When the upturn comes and the global economy begins to recover, businesses that have continued to invest in training and development will be in the best position to succeed with new business ventures and to move into the new industries that often develop in the wake of a recession. Such examples are visible throughout the world.

The Department for Employment and Learning acts as a key driver for the development of skills and for the reskilling and upskilling of our workforce. Workforce development and economic development are inseparable and must go hand in hand, as some Members have said during the debate. Therefore, the Committee calls for further budgeting to allow the Department to deal with those issues.

We welcome the increased Budget provision for the Department for Employment and Learning in 2009-2010, but we urge the Minister not to repeat the underspend of previous years. We have raised that issue with him. Some of the Department's key programmes involve the demand-led provision of skills and training, uptake of which will grow considerably during the recession as unemployment rises. The Committee considers it vital that funding matches demand for those programmes so that no redundant workers are cast aside. I appeal to the Minister of Finance and Personnel — to the Minister of Enterprise, Trade and Investment, who has stepped in — regardless of who holds that post this week

or next week to be as flexible as possible with the funding requirement for such programmes so that we can intervene when redundancies arise. As I said, the Committee will receive an in-depth briefing tomorrow from departmental officials. We will raise our concerns directly with the Minister and the officials.

**Mr Attwood:** I think that I am the final Member to speak before the Minister replies. Therefore, given that the Minister has sat in the Chamber for many hours during the past two days, it is appropriate that, speaking for myself and most other Members, I acknowledge her attention. Moreover, given her response to yesterday's debate, I want to acknowledge that, in her current capacity, she is at least responding to the debate, which too often is characterised by exchanges of party positions.

Yesterday, the Minister replied to the material issues and said that she would reply to any outstanding issues on the Floor today. That is the right principle to adopt; a Minister should reply immediately or as soon as possible after a debate. Other Ministers do not adhere to that principle. I remind the Minister of her promise to reply to my questions about whether, further to the ministerial meeting of 28 May, there is a budget line for the childcare strategy, in particular for the period after August, when the funding for PlayBoard expires. Furthermore, I ask the Minister to outline whether a budget line exists for the consequences of any outcome, especially a quick outcome to the equal pay issue. The Minister did not mention that matter in her response yesterday.

I remind the Minister of the welcome commitment that she entered into yesterday about the review of Senior Civil Service pay and bonuses, which I hope will materialise in the fullness of time. In an intervention during yesterday's debate, I said — I repeat it today — that what the Minister said represents an important principle, if it matures in practice. Yesterday, when referring to the senior Civil Service pay and bonuses review, the Minister said that:

“My colleagues are discussing the issue, and the terms of reference may well be extended, as they are not set in stone.” — *[Official Report, Bound Volume 42, p49, col 1]*.

That is an important principle that now must be developed so that the review extends beyond senior civil servants and takes account of those in publicly funded senior positions. The example was given of the vice chancellor of Queen's, whose salary increased by one third over four years, allegedly by 5.5% this year and by 13% last year. However, he is not unique. Other senior public officials in higher education and in other publicly funded bodies enjoy equally high — some would say excessive — salaries. Furthermore, they could receive excessive wage increases, which, given the economic circumstances that we all face, is wrong.

It was interesting that SOLACE (Society of Local Authority Chief Executives) has advised its chief executives to publish their pay and expenses on websites in a push for transparency. SOLACE has published guidance on its website to all chief executives to show how they can address public concern about the levels of pay in the public sector. I think that that means at the higher levels of the public sector.

It is important that the Assembly send out the message that the review should cover much more than senior civil servants' bonuses, and I urge the Executive to endorse terms of reference that will do that. In the meantime, I ask the Minister to reply to questions about salaries in the public sector at senior level. For example, does the Minister believe that it is equitable and proportionate for a publicly funded body in the North to increase senior salaries by 5.5% in this financial year, when the offer to other employees in the same institution is an increase of 0.5%, especially given the current economic situation? Does the Minister believe that publicly funded bodies in the North should have a reporting function to the relevant Minister — presumably the Minister of Finance and Personnel — especially given that they are a drain on an already tight Budget? That would enable the salary scales and the salary increases in any one year to be subject to some monitoring by Government. That is important when one considers that the Government fund 40% of the entire budget line of Queen's. Will the Minister go further and say that in the current situation, in which some civil servants — one in the North and a number in Britain — have suspended bonuses, it is time for the Government to say that wage increases for senior staff in publicly funded bodies, which come out of the public purse of the Northern Ireland taxpayer, should be suspended?

Given the limitations of the Budget, the three principles of no differential treatment of staff, suspension of wage increases for higher-paid public servants and a reporting requirement to Government by publicly funded bodies will go some way to filling in the gap between now and when the review of senior salaries is complete, which, we know, will take some time. I ask the Minister and the Government to consider a much wider review of the size and scale of payments to senior civil servants generally, as Members will be surprised by the scale and size of such payments. Seven senior civil servants at grade 5 or above are currently working in the Department for Employment and Learning. They are on a basic salary of more than £80,000, without bonuses, pensions, increments or length-of-service increases. The Department of the Environment has 16 civil servants at grade 5 or above; the Department of Health, Social Services and Public Safety has 34; the Office of the First Minister and deputy First Minister has 26; the Department for Regional Development has 16; and the



Department of Finance and Personnel has 39. Unfortunately, I do not know the number of senior civil servants in the Department of Enterprise, Trade and Investment, because the answer that came back from that Department is inscrutable and requires someone with greater skills than mine to work it out. My guess is that there are about 28 or 29. That is the size of the Senior Civil Service.

4.45 pm

Having realised that, one begins to consider the issue that Declan O’Loan raised about the performance and efficiency delivery unit and what it reported back, two years after the introduction of the Programme for Government, about how Departments were or were not living up to their performance and efficiency requirements. If we are serious about dealing with the issue of what chief executives and senior civil servants are paid and how that sets the tone and culture for public service in the North, I suggest to the Minister of Enterprise, Trade and Investment that, as part of whatever it is that Mr Dodds says that he does by way of an ongoing review of the Budget, she examines the figures that I have given today. I ask her to do that in light of a meeting between SDLP representatives and the head of the Northern Ireland Civil Service that took place a couple of months ago, during which we asked him to explain why there were 26 officials at grade 5 or above in OFMDFM. He replied, curiously, that there was residual work that had to be done following devolution. The example that he gave us of that work was managing VIP visits. One would think that the head of the Civil Service, when asked about the work of the 26 senior civil servants in OFMDFM, would have given an answer of more substance and weight than a reference to the management of VIP visits. That is, no doubt, part of their function, but I am surprised that senior civil servants would do that type of work.

I suggest to the Minister that the Government are only skirting the issue of salaries and bonuses for senior civil servants. We should deal with the scale and size of our Senior Civil Service, whether it is fit for purpose and whether all those people are necessary and are doing their jobs. Based on many indicators — in respect of DEL also — questions must be asked about how all those issues are worked through.

There is a third and urgent matter to consider. From this side of the House, the nature of some of the debate, especially yesterday’s exchange between Mr Beggs and Mr Hamilton, which was a bust-up about who would or would not make cuts, when they would make cuts and the scale of any such cuts, seemed to miss the wood for the trees. There is a much more immediate and urgent question to be asked about who does what when they are in or out of government. What are public bodies in the North doing, in this time frame, about future spending issues?

I mentioned the situation at Queen’s University in yesterday’s debate. A leaked document, which or may not lack validity — I doubt that it is invalid — quoted informed sources as saying that, from 2012, Queen’s University should expect a 10% cut in Government funds. That was the basis — some might say the pretext — for the threat of more than 300 redundancies. If Queen’s University is thinking in that way, is the University of Ulster doing the same? Are other publicly funded bodies thinking in that way? That is a crucial issue. If Simon Hamilton is right in saying that we do not know what the future holds, then there should be a conversation between funding Departments in government and those that they fund to reassure them about what they might or might not do in the future. If there is a risk of 10% of the staff of Queen’s University being made redundant, whether that risk is spurious, conversations need to be held with Queen’s University or with any other body that is thinking in that way, to make sure that people do not lose their jobs during a recession, when there is no empirical or proper reason for them to do so.

Ministers have an obligation, and it arises from what the Minister of Enterprise, Trade and Investment said in the House yesterday about the block grant beyond 2011-12. She said that it:

“will be confirmed only as part of the next UK-wide spending review, which is not expected until some time next year.”

If people are acting in advance of the outcome of a spending review, then there is an obligation to tell them that they are doing so. Furthermore, they should be reminded of what the Minister of Enterprise, Trade and Investment said about our Budget in the House yesterday:

“Some very rash assertions were made about funding cuts, the best examples of which were made during the debates on the previous Budget, when similar fears were largely overblown. Once again, that highlights the folly of rushed and ill-informed judgement on Budget proposals”. — [*Official Report, Bound Volume 42, p45, col 1*].

Will there be other institutions — Queen’s University may be one — that will once again have the folly of rushed and ill-informed judgement on Budget proposals that they think are going to come in two or three years’ time? The consequences of that folly and rushed judgement will be that people’s jobs will go to the wall.

There are issues around how the Government are handling the recession, and I will come to those shortly. However, the current situation is that there is a risk of 10% job cuts at Queen’s University, and other institutions could be thinking the same. There could be 10% staff cuts in other publicly funded bodies, in higher and further education, local councils and so on. Is there an obligation to reassure them and ensure that some of the worst practices do not prevail over sensible, mature judgements at this time?



Queen's University may have better sources of information than our Government. It may well be, for example, that the Russell Group of universities, because of its access to information in London, is better informed and is making decisions in advance of those made by our Government. If that is the case, then there is an even more fundamental issue. Where does authority reside? Does it reside in publicly funded institutions taking advice from informed sources outside the North who think that they know better than us? Are the Government in a position of authority, and are they meant to tell institutions in the North what is or is not good public policy when it comes to their future spending priorities and expenditure and the consequences for its employees?

My colleague extracted some very useful information from the Minister of Enterprise, Trade and Investment yesterday about the economic policy units. In doing so, he reminded the Minister about what the SDLP said about economic policy units, which was that, if the three of them could be amalgamated, £0.7 million could be saved in each of the next two years. I suggest that the Government need to think about that.

When the SDLP held the meeting with the head of the Civil Service that I referred to earlier, we asked him what the OFMDFM economic policy unit did. He replied that it had a co-ordinating role in the recession. I invite Members to think about that for a second. The SDLP and other parties are arguing that all that the DUP and Sinn Féin are doing is to manage the Budget in the context of a recession. Now, apparently, there is a group of people in OFMDFM whose purpose is to co-ordinate the Government's role in response to the recession.

Will the Minister confirm what she and her Department's economic policy unit did with respect to the proposals that she brought forward with DEL recently? What was the OFMDFM economic policy unit's input to those proposals? If it had a primary role, what was the Minister's economic policy unit doing at that time? Was it a case of too many cooks spoiling the broth? It just does not add up.

Economic policy units seem to be places to put senior civil servants at grade 5 and above to give them a sense of purpose and mission. Those people may well be doing good jobs, and the Department of Finance and Personnel economic policy unit may be different to the others, but I do not know what the OFMDFM economic policy unit is doing. I ask the Minister to respond to all of that.

The point that Mr O'Loan made yesterday is absolutely right. The Minister said that she was going to meet university economists to see what advice she could get from them. That is a good place to look for advice. It is certainly a better place to look than the

OFMDFM economic policy unit. If it is co-ordinating a response to the recession, God help us all. Yesterday, the Minister said that she would meet economists from our local universities this week to discuss what input they could provide to the economic response to the recession. If I were one of those economists, I would be a wee bit worried about that meeting. The Minister did not speak very respectfully yesterday about the work of two university economists who may well be two of the economists whom she meets in the near future.

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** Yes, they are.

**Mr Attwood:** I thought that they might be.

To paraphrase the Minister's words yesterday, she said that, because the report was commissioned by the Department for Social Development, the Social Development Minister was being self-serving. She also said that one pays for the advice that one wants. Those were not the words she used, but they reflect the tone of what she said. Her exact words were:

"its content and conclusions clearly reflect that it was commissioned by DSD."

The Minister then went further and said:

"Evidence for the construction sector as a whole is based on data for Scotland that are five years old."

She continued by saying that the evidence in the report was based on a single study from 2003 and that the report:

"is not particularly applicable to Northern Ireland or informative in the current economic climate." — [*Official Report, Bound Volume 42, p47, col 1*].

In the week that the Minister might be meeting the authors of that report, telling them that their report is not applicable to Northern Ireland does not seem like an invitation for input into the Government. I ask the Minister to reflect on that point, because the report's content is much more serious than her dismissal of it suggests.

The logic of the Minister's comments is that if a Department commissions advice from a consultant, that is self-serving and the advice cannot be relied upon, which is not a credible argument. In any case, it is not respectful to the two men who wrote the report. I ask the Minister to look at the report by Smyth and Bailey this weekend, as she did last weekend. In the absence of any other evidence about the economic multiplier for construction from social housing, it cannot be dismissed. If other Departments, such as the Department for Regional Development, have not gone off and found out what the economic multiplier might be from their investment, that is their problem.

However, when another Department obtains credible evidence, and if there is no contrary evidence, that evidence must be given a fair wind and serious

consideration. If that Department's conclusion is that investment in social housing stacks up in an economic recession and will improve society, so be it. Such an investment is a lot better than buying trains from Spain, which brings no multiplier whatever to Northern Ireland. That has happened, and it is an issue that we may explore further at another time.

5.00 pm

I was listening to an interview the other day, and a well-rehearsed phrase was used to describe this island's economy. "Paradigm shift" was the phrase that was used to illustrate the fact that the future economy of Ireland will be based on the service industries and that as a result of what has happened over the past months and years, foreign direct investment will go into those industries. However, there is a need to discuss the shape that that foreign direct investment on the island of Ireland will take, given what has happened recently. For example, will the Americans ensure that their businesses stay home and manage and reconfigure their economy to ensure that such investment can be made?

The point was also made in the interview that those service industries are not traditional service industries such as ASDA or Tesco, but are service industries to the high-tech industries that are going to be the way forward in the North. For example, when Yahoo invested in Ireland, it came as an IT company. However, it is actually a service industry, and it came here because we have young, imaginative, highly trained and educated people. Although those people would not be creating products in the traditional sense, a paradigm shift would be one element of the development of the economies of Ireland, with the result that they will be based on service industries.

Although I have not responded to what anyone else said during today's debate, I will respond, as is my wont, to what John O'Dowd said. He made many valid points; I am not dismissing his contribution. Indeed, Mr O'Loan endorsed his essential point, which concerned how we must change our culture and attitude to an all-island economy and how it works. That argument is so compelling that it should be self-evident; unfortunately, however, our politics get in the way.

Mr O'Dowd's point was that London should pay its debt to the island of Ireland because of what it did over previous decades and before. I agree that London has an obligation to tell the truth about what happened on this island over the years and decades. I also believe that to maintain stability in Northern Ireland, whatever its future constitutional framework, there must be significant financial guarantees from London.

However, that argument cannot be made without arguing that the republican movement should also pay its debt to the people of Ireland. That has two features.

First, the movement must tell the truth about what it did in the past, and secondly, it must repay the millions of pounds that it has accrued in assets, either voluntarily or by seizure, to the people of Ireland. That demand cannot be made of London while different principles are being applied elsewhere.

If there are to be future guarantees on London funding, and I agree with those demands, I want to know about the millions of pounds in criminal assets that were gathered, and retained, by the republican movement. Furthermore, I want to know how many live investigations the PSNI has into the historic assets of illegal loyalist and republican organisations. I believe that there are none. I want to know how many live investigations the Serious Organised Crime Agency (SOCA) has into the historic assets of the IRA, the UDA, the UVF and the rest. However, again, I fear that I would not be very impressed by the answer.

**Mr Brolly:** I am very interested in the Member's proposal. However, where exactly does he want to begin with the republican movement? Does he want to start with the Fenians, the United Irishmen, 1916, or does he simply mean 1970?

**Mr Attwood:** I will start with those who were convicted in Cork for actions arising from the Northern Bank robbery. The Irish state has convicted people —

**Mr Brolly:** You should have said that.

**Mr Attwood:** You asked me for an example, so I am giving you an example, and I will give you many more before I have finished. That is where I start, because that was a conviction by the Irish state in public session in a public court, which stated that individuals under the direction of people in the IRA were involved in the Northern Bank robbery. The Irish people have said that the IRA committed the Northern Bank robbery, and there is an obligation on those who committed that robbery to respect the Irish people and their wishes, and hand back that money and all the other moneys that have been taken over the past decades.

In 1984, the New Ireland Forum published a report that assessed the cost of violence up to 1982. That report stated that the overall loss to the Southern economy because of the years of violence, just until 1982, was £1.08 billion. The total cost to the North — including compensation for deaths and injuries, the loss of economic output, the loss of tourism, the increased securitisation of the North and all the horrors and abuses of rights that came with that — was £5.55 billion in only 13 years. That should be put in the context of the discussion about recession, the economy and the need to inject public funds into the North.

The cost to the people of Ireland caused by those who engaged in violence, state and non-state, together with the financial consequences for the economy and tourism of our country totalled £11 billion.

**Mr B McCrea:** I will check.

**Mr Attwood:** That is not necessary. When I hear people talk about what the future shape of the island economy should be, about the obligations of London, and about the cost to our people of having less money, I remember that £11 billion was lost by and to the people of Ireland because of what the IRA and others did. That was in only 13 years, and that is the real cost of our current economic difficulties; and that does not even touch on the loss of human life, and the damage to the character, culture and nature of Ireland.

**Mrs O'Neill:** Go raibh maith agat, a Cheann Comhairle. I think that I am the last Member to speak before the Minister, so Members will be glad to hear that I will stick to health and disability issues, because I am Sinn Féin's spokesperson on those matters.

The political and financial realities that face the Assembly and Executive have been well rehearsed yesterday and today, and it is a given that, as we move through this period of economic crisis, we must do all in our power to address the needs of our communities in a fair, inclusive and equitable manner.

There have been many improvements in the Health Service, and I would not take that away from the Minister. We have witnessed some very welcome improvements in waiting times, trolley waits and service delivery. That said, there are still many challenges facing the Health Service that need to be addressed. There are many issues in the ether about which the people have genuine concerns and feel confused. There is also a lot of frustration among the public, not least because of the big pay-offs that chiefs in the Health Service received. Perhaps we will find those people reinvented and back in quangos or in other positions in the Health Service. When we challenge the Minister on that, he would suggest that it was a spend-to-save initiative. However, it appears to be more of a spending-and-then-spending-more initiative.

That initiative must be weighed against the CSR proposals and the cuts to front line services. There have been cuts to nursing and domiciliary care staff; some nursing homes have been lost; hospital midwives are under severe pressure; there is a lack of respite facilities, and the list goes on.

Front line staff are under pressure, and, as I have said before, the health profile of people in the Six Counties is poor. If we are serious about improving the unacceptable ill-health statistics, we must strike a balance between investing to deal with ill health and investing to eradicate the social and economic causes of ill health. John O'Dowd and other Members said that one of the biggest wastes of resources is having two distinct health services on this small island. As we all know, health is an area in which there should be co-operation. Co-operation must be exploited to the

maximum benefit of everyone who lives on the island, and especially those who live in communities that straddle the border.

It is time for the Health Service to be inventive so as to improve the unacceptable ill-health statistics. If we are serious about tackling the problems, we must address the root causes of discrimination, poverty and social exclusion. We need to return to the Investing for Health policy. We should invest early so that people will not require care for long-term conditions or as many hospital admissions, etc. Investing for Health was a preventative rather than curative approach to health and will undoubtedly lead to long-term savings in the Health Service.

The establishment of the new Public Health Agency presents the Health Service with an opportunity to consider long-term investments rather than short-term fixes. The agency can assess the health agenda from a cross-departmental perspective and provide early education for young people so that they can make better-informed life choices. I look forward to working with the new agency, and I envisage it creating long-term savings for the Health Service.

I want to highlight a few other issues in my role as the party's disability spokesperson. The Department of Health, Social Services and Public Safety is developing numerous strategies and action plans that we expect will be published for consultation in the coming months. I welcome those developments, as do the people who need the services. However, I wonder whether the Minister will have sufficient money to back up the very important strategies on which we have been waiting for some time. For example, the draft disability strategy will cover physical, sensory and communication disabilities. It will address the pathetic level of access to wheelchairs; neurodisability; prosthetics; sensory impairment, and speech and language therapies. Action in all of those areas is long overdue. The Minister made commitments in the Budget to introduce the relevant measures, but some of his statements make one doubt whether that will happen.

We also have to deal with the serious issue of people with learning disabilities who languish in places such as Muckamore Abbey. The latest departmental figures suggest that Muckamore Abbey has 270 people with learning difficulties who are waiting for packages to enable them to live independently in the community. How much does that cost the Health Service? Is that a good use of Health Service funds? The Health Service faces many challenges, and there must be delivery on the ground.

**Mr Ford:** I start by saying that I will be the last Member to speak before the Minister: I think that I am the fourth Member in a row to do that.



Inevitably, the debate on the Budget (No. 2) Bill has been wide-ranging. To mix the metaphors of Peter Weir and Alex Attwood, we have seen many people riding their hobby horses around their favourite trees, but we seem to have lost sight of the wood. We have talked endlessly in the Chamber about the supposed priorities in the Programme for Government, the various Budget processes and prioritising business and enterprise. Although there have been some achievements in that regard, questions remain about whether our priorities are right in order to build up local businesses and whether the budgeting process is sufficiently flexible to take account of the changes that have taken place in the world economy over the last couple of years.

5.15 pm

At the risk of sounding like a member of the Ulster Unionist Party, which, I am sure you will appreciate, Mr Speaker, I do not wish to do, I suspect that some of the populism that is inherent in the Budgets that we have seen has now reached the point whereby it is starting to catch up with Ministers. I will give one example of that particular hobby horse going around its favourite tree. Stephen Farry placed emphasis on what he described yesterday as the spring fuel payment: it was not a winter fuel payment. It required pensioners to take a leap of faith that they could afford to buy their fuel in the winter when most of us tend to use more fuel than we do in the summer, although apparently not those on the DUP Benches. It required that leap of faith and then delivered only a subsidy to the fuel companies. We could have seen real action on energy efficiency from that.

Given the Minister's previous role as Minister of the Environment, her current role as Minister of Enterprise, Trade and Investment and her acting and, perhaps, future role as Minister of Finance and Personnel, I had hoped that she could have seen the benefits of promoting jobs by developing and then expanding an insulation campaign, rather than simply making a populist gesture that dealt with the problem for only one winter and has done nothing.

We do not yet know what the Executive will offer to people living in fuel poverty next winter and in future winters. That is an example of placing priority, in name only, on supporting enterprise, when a large number of small building firms would have welcomed the opportunity to engage in a house insulation programme for households in most need. However, those firms have not had the opportunity that they would have been given if priority had been placed on a different area.

Mr Speaker, you will be pleased to know that I do not intend to speak for as long as some Members have. I gather that my colleague Stephen Farry managed to make only the fourth-longest speech of the entire debate, although he did his best. Some of today's

speeches reminded me of the time when my good friend Simon Hughes said in the House of Commons, "and, Mr Speaker, nineteenthly".

I shall certainly not rehash 19 points or even half that number, but we need to look yet again at the glaringly obvious elephant in the room, which is the lack of any action on the costs of division. The argument was so well highlighted by Stephen Farry that I do not need to repeat it, although I welcome the fact that it has been referred to by other Members such as Nelson McCausland. I also welcome the fact that John O'Dowd and Peter Weir indicated a willingness on the part of their parties to look at the costs of division in general. Of course, John O'Dowd dressed it up as concerns about the costs of the Irish border in determining the economics of both parts of the island. However, the practical reality is that the costs of division in Northern Ireland are significantly greater, as I shall show later, than the costs of division across the border.

Another matter that does not seem to have merited any discussion today involves the cost of the institutions, the size of the House and the number of Departments. I am surprised that the more articulate DUP Back-Benchers, at least one of whom is still present, did not manage to discuss it as it has been mentioned by the DUP leader elsewhere. *[Interruption.]*

I will give way to Mr Hamilton if he wants me to. Hansard will note that he failed to take the opportunity to intervene on that point. No doubt Mr Hamilton will revisit it at a more opportune moment.

The issue is not about saving the salaries of a number of permanent secretaries and a few more people in grade 5 posts, as Alex Attwood properly highlighted; rather it is about the opportunity costs of the failure to get joined-up Government in this place and the efficiencies that could be realised. It would create a much better emphasis on that supposed concentration on the economy if we had fewer Departments, with a more coherent range of responsibilities in each Department, and fewer MLAs keeping an eye on what was being done. However, perhaps Mr Hamilton and I will revisit that on another occasion.

The debate, as is entirely appropriate for a Budget debate, has dwelt on economic and fiscal issues. At times, there seemed to be confusion between them. There is no doubt that the economic issues that are affected by the Budget will have a significant impact on the private sector in Northern Ireland and, perhaps, wider afield as we look towards our private sector engaging in markets overseas, in Great Britain and across the border.

There are undoubtedly several significant areas in which we could be promoting that type of cross-border



co-operation. Although Nelson McCausland may not like it, the vast majority of people outside this island regards Ireland as a tourist destination. People do not view Northern Ireland and the Republic as being separate. It is important that work be done in such a way as to capitalise on that tourist market throughout Europe and North America.

Last week, genuine issues were highlighted over the way in which entry to higher education will operate across this island. It appears that some students from Northern Ireland may encounter difficulties in accessing places at universities in the Republic. However, it must also be recognised that many students from Northern Ireland wish to access university places across the water. It is not simply a matter of suddenly jumping to adopt an all-island approach while ignoring that second dimension.

Mrs O'Neill cited examples of the kind of co-operation that could take place in acute hospital services. Undoubtedly, difficulties occurred in choosing between Omagh and Enniskillen as the location for the new principal hospital in the south-west. The discussions were conducted in a partial vacuum that did not take account of hospitals in Sligo, Monaghan and Dundalk. Those hospitals have a bearing on Daisy Hill Hospital, Craigavon Area Hospital, South Tyrone Hospital, Tyrone County Hospital and Erne Hospital. If we are to maximise the economic opportunities and use available resources for the greatest benefit, all such issues must be taken into account.

Patients from Northern Ireland travel frequently to major hospitals in Dublin for specialist services. However, much more could be done to increase the practical co-operation that benefits everyone. That is not an issue of fiscal harmonisation or forging a political link but a question of being practical and recognising that, on a small island with a population of six million, much could be done better by working together.

I welcome the recognition from at least some on the DUP Benches that there are practical issues on which co-operation will help everyone, although there is constant muttering against that from the Ulster Unionist Benches. Mr O'Dowd's economics suggest that the wicked Brits will somehow pay for everything. However, I am not sure that we can expect that to happen in the context of the total all-Ireland harmonisation that he wishes to achieve. I declare an interest as someone who used to be called a Keynesian but is now, I believe, called a "Cableist" economist. When John O'Dowd rejected every possible source of economic information, with the exception of Karl Marx, I doubt that he was in line with the thinking of the great majority of people in either part of this island. I may be proven wrong, but the recent election results in the Republic do not show that I am.

Issues must be examined in harmony with other UK regions, too. This week's report on potential increased tax-varying powers for Scotland has ramifications for the Assembly. It would not be particularly easy to have tax-varying powers, but they could bring benefits. The Azores ruling on the potential for such tax-varying powers makes it clear that, if the economy is prepared to take a short-term hit, an opportunity exists under European law to take up that option.

**Dr Farry:** Given what I am about to say, the heckling from my left may not be terribly appropriate.

Does the Member find it strange that the Conservative and Ulster Unionist Party criticises the Alliance Party's stance on tax-varying powers at the same time as it is advocating enterprise zones in Northern Ireland? How does that party expect enterprise zones to work without our having tax-varying powers?

**Mr Ford:** The Member asks whether I find that strange. Frankly, given the contributions on the economy from that party over the past few days, I do not find it strange in the slightest. The Minister appears to agree with me, so that will save her from kicking the Ulster Unionists on that point later. However, there are — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Ford:** The cost of division operates at an all-Ireland level on some issues. However, the Assembly is not yet confronting, on behalf of society, other, far greater costs of division. A small number of institutions of further and higher education may have problems that have a cross-border angle.

However, Northern Ireland has many villages in which there is a potential issue about whether maintaining two primary schools would be an excessive cost to the public purse, if people were able to move forward with a degree of co-operation or to a single, integrated school.

There are small towns in which maintaining a post-primary school is an issue related to the excessive cost of division. Issues that are not relevant in other parts of Northern Ireland do apply in areas of Belfast where health centres cater for people from only one side of a line, either visible or invisible. Those are all issues where there are very real costs of division, and there is no sign in the Programme for Government or in the Budget process that they are being tackled.

I have just a couple of further points. I think that we —

**Mr B McCrea:** Oh, there is more.

**Mr Ford:** Regrettably, it appears that Mr McCrea does not seem able to understand the simple economics that are being put to him. I was trying to make my

speech as simple as possible for the benefit of him and his colleagues. I shall do my best.

The real issue is whether the investment strategy that is highlighted by the Executive has the necessary degree of prioritisation on those issues that will enable us to develop the kind of economy that we will need in the future. It is fine to say that we are prioritising the private-sector economy. However, what parts of that are we prioritising?

For example, I believe that Mr Weir or Mr Hamilton referred to the M2 widening as a piece of public investment. There is no doubt that that provides a certain benefit, but the practical reality for those engaged in transporting business goods is that for most of the day it has made no real difference. What it has done in other terms is to shift a traffic jam, so that Sandyknowes no longer features on the BBC traffic reports every morning; instead, Nelson Street does. I have considerable doubts about whether that is a good use of public money, as opposed to spending it on the kind of public transport developments that are needed to deal with the commuter problem in Belfast.

We must be sure that what we do makes a real difference to enabling our businesses to function, profit and grow for the future. It has been too easy for the Executive to assume that any level of investment can be dressed up as benefiting our economy in a way that has not yet been proven in practice. In that context, I look forward to hearing from the past Environment Minister, present Enterprise Minister and future who-knows-what Minister as she answers for the Department of Finance and Personnel.

#### **The Minister of Enterprise, Trade and**

**Investment:** It is with great delight that I at last rise to wind up the debate. I am grateful to most Members who have contributed during the debate on the Second Stage of the Budget (No. 2) Bill.

Some time ago, there was a discussion about whether the G20 summit could be called the new Bretton Woods. One need look no further than the House for the new Bretton Woods, because some of today's discussions have been really quite awe-inspiring. I hope to get to some of those later.

I again thank the Committee for Finance and Personnel on behalf of the Minister for its role in ensuring the Bill's accelerated passage. The Committee's assistance will facilitate the continued supply of cash to Departments in order that they can deliver public services and it will provide additional resources, including accruing resources, for use by Departments on those services. I thank the Chairperson, Mr McLaughlin, for confirming in writing that the appropriate consultation took place with his Committee.

In the rest of his speech, Mr McLaughlin asked when the review of the Budget processes would come before the Committee, something that I indicated yesterday in my winding-up speech in the Supply resolution debate. He knows that the evidence base has now been largely collected; officials have consulted quite widely, and the Minister will consider the matter very soon. I am sure that it will then go directly to the Committee for Finance and Personnel.

Next, Basil McCrea, the first of the two Tory boys, came out to play. As I stated yesterday, and will repeat today because Mr McCrea was not here, all Departments have been invited to put forward spending bids as part of the June monitoring round. I understand that considerable bids have come in, and they will be addressed as usual by the Executive in due course.

5.30 pm

With respect to overspending the Executive's Budget, the Member will wish to note that his party's submission to the draft Budget consultation argued the case for a higher level of overcommitment, which would have resulted in even less flexibility to meet in-year pressures. However, we will deal with monitoring round matters in the normal way, and the Member will see the state of the Budget then. I know that he eagerly anticipates that outcome. *[Interruption.]*

Mr Deputy Speaker, the Member need not make asides on every point to which I reply.

The Member pointed out that budgets should be subject to regular review and change. It is not often that I agree with him — in fact, this may be a first — nevertheless, he is right, and that is precisely why we have the in-year monitoring process. However, the Member's implication that budgets should be completely rewritten ignores reality. We are dealing with massive amounts of money and with a range of services and service providers, and sensible service delivery can only take place when there is some degree of stability and forward planning.

We heard a great deal from the Member about honesty and the need to move away from spin, and we also heard a great deal about George Osborne's being the pin-up boy for the Ulster Unionist Party. He was quoted, ad nauseam, about delivering public services and making tough decisions. It reminded me of the cartoonist Matt, a favourite of mine, whose cartoon in 'The Daily Telegraph' today shows a man walking into a hairdresser and asking for no cuts, just efficiencies and tough decisions. At the minute, that is the language of the Tory Party, and Mr McCrea's speech-writer has obviously inherited some wording from Central Office. Indeed, that was apparent in Mr McCallister's approach as well.

Politicians must be clear and honest, but they must not scaremonger. Before Her Majesty's Budget, Mr

McCrea and his colleagues gave us just that. However, in the event, we saw nothing close to what they were talking about, so they must reflect on what they are doing. Let us have open and honest government, but let there be no scaremongering.

**Mr B McCrea:** I appreciate the Minister's allowing me to intervene, and I promise not to detain the House. In Her Majesty's Budget, Chancellor Darling announced that, by 2013, capital expenditure is to drop from 3·1% of GDP to 1·3% of GDP. Given that relative to the UK, Northern Ireland spends more than 4% of its GDP, does the Minister not think that that means that we will have to manage real cuts?

**The Minister of Enterprise, Trade and Investment:** Obviously, the Member has not reflected on the fact that we have been given Barnett consequential; that is a benefit of being in the United Kingdom, which is a point that I will address later. The Member must recognise and address that. There is no point in highlighting one aspect of the Northern Ireland Budget without considering the overall Budget. That is another point on which he must reflect.

The Member also talked about the Programme for Government and the economic downturn. He must look again at the Programme for Government, because the 2007 Budget allocations were based on the expectation of a slowdown in global economic growth. I do not suggest for one minute, and no one is, that the scale and speed of the economic downturn was predicted — it was not — but the Executive are dealing with it and we have adjusted our plans, as recent initiatives to deal with the economic downturn by the Minister for Employment and Learning and, indeed, myself demonstrate.

Mr McCrea said that the PFG targets will not be met and that budgets must be amended. I do not accept that bleak prophecy: my Department has many targets that are on line to be met. However, a more important issue is that we must move the focus from spending to the delivery of services. Listening to the Member, one might think that delivering public services is just about spending money; that is not the case. In fact, public services are about providing services to the public, and yesterday, in my response to the debate on the Supply resolution for the 2009-2010 Main Estimates, I made a point about delivering better public services.

That is why the Executive agreed the new performance management framework in March, as Mr O'Loan mentioned. It is also why the First Minister, when he was the Minister of Finance and Personnel, established the performance and efficiency delivery unit. I will touch on those issues later.

Those very initiatives are intended to facilitate and ensure the delivery of the Programme for Government targets and improve the quality of public service

provision. That is the debate that we should have, rather than a debate that has a simplistic focus on cuts and money. I noted what other Members said about the Ulster Unionist Party. We heard a lot of Members on the UUP Benches asking what our alternative is. Our alternative does not involve just cuts, which seems to be the only thing that came from the Ulster Unionist Benches today. Our discussion should be about better service delivery and making the best use of the money that we have.

In relation to education pressures, the Finance Minister stated at the time of the strategic stocktake that many of the costs may not materialise to the extent that was suggested by Departments as, in some cases, the costs were largely speculative. That was a warning that he gave to all Ministers. It has been shown to be the case by the Department of Education's June monitoring return, which registers a significantly lower level of pressures compared with the £60 million in the strategic stocktake for 2009-2010.

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

Dolores Kelly asked a number of questions. She made a very clear plea that we should take further steps to reduce the levels of sectarianism and racism in our society. In many ways, racism is the new sectarianism in Northern Ireland. I join with Dolores in condemning the attacks in south Belfast over the past number of days. It is absolutely disgraceful, and we need to send out a very strong message that those sorts of attacks on anybody, no matter where they come from, will not be tolerated. That was recognised in the Programme for Government, which, as Mrs Kelly mentioned, sets out to build a peaceful, fair and prosperous society in Northern Ireland. Departments must develop their own priorities and policies in the context of that. However, as she would expect me to say, it is primarily a matter for the First Minister and deputy First Minister to deal with by working with their respective Ministers. That is also the case in respect of the sustainable development strategy and the victims' strategy.

In relation to the Peace III funding issue that Mrs Kelly raised, all EU funding for the Peace programmes is ring-fenced and cannot be spent in any other areas. The current Budget allocation to Departments contains sufficient provision for match funding to ensure that all EU moneys can be, and I very much hope will be, drawn down.

We heard a lot about George Osborne being the pin-up boy of the Ulster Unionists. Now Stephen Farry has told us that his pin-up boy is Vince Cable. It was all very illuminating as Members got that off their chests. In any event, I welcome Dr Farry's acknowledgement that the significant figures that were previously quoted in respect of the cost of division



were flawed and overstated. I hope that the proposals that have been published today, of which I have received a copy but have unfortunately not yet had time to look at, will be deliverable and more closely aligned with the realities of what can be achieved together with the full implication of the changes that they propose. Having said that, the Alliance Party is to be commended for wanting a mature debate that is based on empirical evidence. That was in contrast to some of the empty words that were offered by others.

I will not go over everything that was mentioned by Dr Farry. However, in relation to his point about the review of Invest NI and DETI policies, he should know that the terms of reference take account of the issue of regionality. Therefore, his point about DETI needing to take that into account has already been taken on board.

Mr O'Dowd advocated greater alignment with the Republic of Ireland, something to which Mr Attwood also referred. I think that all Members in this House, as well as the wider public, are only too aware that at this time, we should be grateful for the clear separation from the Republic of Ireland because of the position in which it finds itself.

I hear a lot about working together as an island economy. However, we should not forget that we are competitors with the Republic of Ireland for foreign direct investment. When we go out on trade missions, we are trying to sell the Northern Ireland proposition, and, indeed, Republic of Ireland colleagues are out selling their proposition. We need to remember that.

A key reason why Governments exist is for public service provision. We would see a material erosion of the high quality of services here if we had a clear integration with the Republic of Ireland. People need to reflect on that as well. Public services and driving economic growth are better in the hands of the Executive, underpinned by the strong fiscal benefits that flow from being an integral part of the United Kingdom. Those benefits have been referred to. Dr Farry put the question, as I did yesterday, of where we would get the £7 billion of subvention without the Barnett formula that we have.

With regard to the economic policy that Mr O'Dowd advocated, there is a distinction between the low-tax, poor-public-services policy adopted in the Republic of Ireland and the high-tax, good-public-services policy adopted in other parts of the European Union. However, the Member appears to want the best of both worlds, with low taxes and high-quality public services. We need some reality in the debate. What Mr O'Dowd was advocating is simply not realistic. He gave no explanation of how we would deal with the £7 billion deficit from subvention, apart from the fact that we would ask the Treasury to pay for us. That is a

reverse on the position of no taxation without representation: we are going to have subvention without any representation. That really and truly is in the realms of fantasy politics. I am surprised at Mr O'Dowd for coming off with such nonsense.

Finally, in his usual valiant attempt to defend his Minister of Education, Mr O'Dowd lectured DUP Ministers on not listening. That is such irony coming from the party of the Minister who has singularly failed to listen to Members in the Chamber or to people outside the Chamber — or, indeed, anywhere else — in relation to academic excellence in our schools. That is all that I will say on that issue.

Now to Mr McCallister, who read — not even well — a speech that had been given to him on the need for an honest assessment of the public expenditure position. Essentially, it was a Conservative Party speech. Like the shadow Chancellor, who suggested that the gap can be bridged with easy targets such as the cost of politics and the level of pay in quangos, the Ulster Unionists are complicit in not providing the full picture to the electorate as shown by the slapping down, referred to by Dr Farry, of Andrew Lansley, who was basically told to shut up and keep quiet until after the general election had taken place. If we want honest politics, and if we want to be open, we should have the full picture given to us by the Ulster Unionists.

The Finance Minister has been very clear about the tough issues. We heard a lot about water charges from Mr McCallister. There are huge issues that have to be addressed about water charges. I have to say that the toing and froing that took place in the Chamber today about who will be saying yes or no to water charges is not the sort of debate that we will need on the subject. Every party will have to come up to the mark on that issue; they cannot simply opt out of making the decision when it comes before them.

In relation to enterprise zones, I am not in favour of making Northern Ireland out to be a special case, in need of special attention. People need to look at that very clearly. At a time when we are putting ourselves forward as an open regional economy for people to invest in and are encouraging them to see us as moving forward, as a place for research and development, somewhere that people can come to and invest in, what are we going to do? We are going to present ourselves as a special case. I am not in favour of that, never mind the fact that we have not heard how, given that we do not have tax-varying powers in Northern Ireland, we will deal with the whole concept of the enterprise zone.

5.45 pm

Mr O'Loan made a lengthy speech. I hope that I will be able to deal with most of the issues that he raised, but, if I do not, I am sure that he will let me know at a later date.



The Northern Ireland Act 1998 does not place any legal obligation on the Executive to lay a Budget every year as long as there are firm expenditure plans for each year, which there are. Furthermore, a formal Budget process would give rise to unrealistic expectations regarding the additional services that could be funded when, in fact, the resources required would have to be found from Departments' existing budgets. The focus should be on the delivery of the Programme for Government commitments. We will be happy to review the Budget when sensible proposals, which cannot be addressed through in-year monitoring, are put forward.

Mr O'Loan said a lot about Workplace 2010 and about my comments yesterday, and he contrasted them with comments that other people had made on different occasions. Although market conditions were a contributory factor to the suspension of Workplace 2010, it is clear that the project was already affected by there being one bidder rather than two. As Mr Hamilton stated, there is nothing contradictory about those positions, and they are not mutually exclusive. Each factor was considered in the decision-making process for Workplace 2010.

Mr O'Loan quoted two comments that I made in yesterday's debate, the second of which was:

"Lower construction costs also provided an opportunity for Northern Ireland Departments to procure capital projects at lower cost." [*Official Report, Bound Volume 42, p46, col 1*].

Therefore, I referred to the very issue that Mr O'Loan said that the Minister of Finance and Personnel had mentioned earlier.

Mr O'Loan mentioned the Bain Report and said that we were seeking decisions about it, but it has not yet been discussed by the Executive. There are difficulties with the Bain Report, and I would not be doing myself any justice if I said otherwise. People know that I am a straightforward person, but, as a Member for Fermanagh and South Tyrone, I have difficulties with the Bain Report, not least because it considers only physical infrastructure instead of the broadband infrastructure that we are putting in place and other ways to bring work to areas that may not have the required physical infrastructure. A debate is needed about the Bain Report rather than a mere rubber-stamping, of which I would not be in favour.

The shortfall in capital receipts was also mentioned. It was not compensated for by slippage in other capital projects alone. Instead, unallocated end-year flexibility funding was used, as well as the reclassification of current expenditure, to supplement the available funding. That allowed Departments to deliver record levels of capital investment last year, as mentioned by my colleague Mr Hamilton.

In-year monitoring provides Departments with the scope to reduce the level of funding for low-priority areas in order to increase funding for others. Mr O'Loan spoke about a "modest redistribution". A sum of £1 billion is not a modest redistribution: that is the amount that has been moved through the system since the restoration of devolution. The level of overcommitment for 2009-2010 is lower than the 2007-08 and 2008-09 levels.

PEDU has led DFP's work on the establishment and ongoing implementation of a robust framework to monitor and drive delivery against the Programme for Government and PSA targets. I noted Mr O'Loan's comments on PEDU. It will continue to work with Departments in specific areas, as thought necessary, to ensure that funds are allocated to deliver improvements in delivery and outcomes. PEDU has worked with the Planning Service; it arrived as I was leaving the Department of the Environment. It has considered ways to improve planning processing times for delivery against the challenging PSA targets. PEDU is also conducting a review in collaboration with Land and Property Services.

I am sure that the Member will agree that, now more than ever, taxpayers' moneys must be spent wisely. Part of that means that some taxpayers will want to see the improvements in services that were promised in the Programme for Government delivered in full, on time and with the proper use of resources.

To that end, a robust framework has been put in place to monitor delivery. I noted Mr O'Loan's comments about that framework. Surely the robustness of the monitoring system is shown by the criticisms that the Member quoted from PEDU. If the system is criticised, it means that it is working; it would be worse if there was no criticism and people were still complaining about the level of delivery. The real measure of progress now will be the way in which Departments review and improve their plans.

Mr O'Loan said, and I hope that I am quoting him correctly:

"If you are not meeting a target, you should change it."

That is a very poor way to make progress. Why would one try to meet a target when one can simply change it if one does not meet it? There is no rationale behind that. The statement — [*Interruption.*]

That is what was said:

"If you are not meeting a target, you should change it."

**Mr O'Loan:** I was paraphrasing the criticism that was in the DFP's document: when Departments faced uncomfortable targets, they changed them.

**The Minister of Enterprise, Trade and Investment:** That is certainly not happening in the Department of Enterprise, Trade and Investment; we

do not change our targets even though some people have said that we should because we will not meet them. That is not the way to operate. We keep our targets, and if we do not meet them, we give the reasons why. Other Ministers and I will certainly push ahead to try to meet those targets.

**Mr Attwood:** The fact that the Minister had to change tack confirms the validity of the point that was made. She misheard the comment, and now she is criticising anybody who says that she should change targets. If a report is given to the Committee for Finance and Personnel that says, essentially, that Departments should change targets if they cannot meet them, does that not contradict the Minister's support for the initiative that she outlined in her previous comments?

**The Minister of Enterprise, Trade and Investment:** No, it does not. Being challenged is part of being in Government. Would it not be terrible if I did not have to sit here for six hours listening to people challenging me about the Budget? Would that not be wrong? The fact that PEDU is attracting criticisms shows that it is working.

I apologise to the Member for picking up his comment wrongly; I thought that he had said that. I am glad that he did not say that and that he agrees with me that targets are there to be met in full.

Nelson McCausland and Mr Ford raised the same point about Tourism Ireland. Members will understand that as a unionist, I am not entirely comfortable with the concept of Tourism Ireland. However, when I became Minister of Enterprise, Trade and Investment, I had robust meetings with Tourism Ireland about how it delivered for Northern Ireland. In the past, I believed that Northern Ireland did not get the best change out of Tourism Ireland's work. However, I am alert to that issue.

I wish to tell Mr McCausland that a campaign that was launched across GB last week highlights the fact that Northern Ireland's currency is sterling and that savings can be made with it. I hope that it will deliver specifically for Northern Ireland, and I commend Tourism Ireland for its work on that campaign for Northern Ireland.

Sue Ramsey talked about the effect of the downturn on the most deprived, and the Executive fully recognise that the economic downturn will have a major impact on the most deprived people in our society. That is why the Finance Minister provided funding for the fuel poverty assistance scheme, which provided £150 to more than 150,000 low-income households. I will return to that issue later, because it was raised by the Alliance Party in relation to my feelings about energy efficiency.

I thank Alex Attwood for his opening comments. I responded to the childcare issue this morning in my opening remarks.

As I set out yesterday, the Civil Service equal pay claim involves complex issues and there is still a great deal of work to be done before the matter is resolved. I know that that will disappoint many Members; however, discussions are continuing and the Minister has had a meeting with NIPSA. As I said in the House yesterday, we want to work to a negotiated settlement rather than having to resort to litigation. Discussions are continuing and it would be inappropriate for me to comment further at this stage.

I have a personal view on senior salaries and public-sector pay, but I will not pre-empt the review that the Minister of Finance and Personnel announced last week. However, the fundamental principle remains that public-sector pay should be sufficient to recruit, train and motivate staff, and I am sure that the Member will agree with me on that. I will not comment on individual cases without the full details being available, although, as he knows, most public-sector workers are subject to HMT pay guidance. We must also recognise the realities of the existing terms and conditions that many public-sector workers have.

With regard to the reduction in QUB funding, we made enquiries with the sponsor Department for Queen's University, and it is not aware of where the figures that Mr Attwood quoted yesterday from Saturday's 'Irish News' came from. It has certainly not been given any figures of that amount from DFP. It is not for me to tell Queen's University what to do. However, I repeat that the Budget allocations for 2011-12 and beyond will be confirmed only as part of the UK-wide spending review next year. I agree with the Member when he asks whether it is appropriate for Queen's University to be getting information from another place. I assume that he will take that matter up with the Minister for Employment and Learning, because that Minister has the right to ask whether that is the case, and I am sure that he would do so if the Member were to ask him.

Much was made of the economic policy units in DETI, DFP and OFMDFM; however, those units carry out very different functions even though they all have the same title. My own economic policy unit is taking the lead role in the review of Invest Northern Ireland, while DFP's unit is looking at public-sector pay policy. I am sure that if the Member wanted to raise the issue of OFMDFM's economic policy unit, OFMDFM would be happy to give him an answer.

**Mr Attwood:** You can ask them.

**The Minister of Enterprise, Trade and Investment:** I cannot ask OFMDFM, and there is no point in saying that I can. I am more concerned with

the Department that I am representing today and the Department for which I have responsibility.

With regard to the report from Bailey and Smyth, he who pays the piper calls the tune, and the Member will know what I mean. There is an element of that in their report, and the Member cannot deny it. However, I did not dismiss the Bailey/Smyth report; I just did not think that the analyses were wide enough, and I pointed that out yesterday in relation to some of the indexes that were used. Had I been free this afternoon, I would have met one of the authors to discuss the report and other issues. However, I hope to be able to do so in the near future.

The Member is correct that foreign and direct investment has moved into service industries, as it is shifting into different areas. I want to see more research and development coming to Northern Ireland. I have looked closely at how Israel has used research and development as a lever to attract investment, and I want to see whether we can do more on that. Nevertheless, as the Member knows, we are doing a great deal on research and development.

6.00 pm

David Ford mentioned fuel poverty. It is no secret that I would have liked to have seen more on energy efficiency in that package, but the Executive held a discussion about that, and there was a feeling that there was a need for an approach that delivered immediate benefits. Mr Ford may say that the benefits were not immediate, but the assistance package consisted of a sum of money to be provided to low-income households in the context of record-high oil prices. We need to have a discussion about energy efficiency in the home, because there is no point in considering renewable energies, as we are in the interdepartmental working group on sustainable energy, if we have not first addressed the issue of energy efficiency. That is vital to our efforts.

I turn to the savings to be made through a reduction of the size of our institutions. It is true that only a modest level of direct savings, through salaries and allowances, of around £6 million a year would be made through a 50% reduction in the number of MLAs. However, more significant savings would be made from a reduction in the number of Government Departments. It is clear that there is duplication, some of which Mr Attwood pointed out. Therefore, we need to have a discussion about the reduction of the scale of this place, and I hope that we will be able to do that in a meaningful way in the near future.

In conclusion, as we continue into 2009-2010 and face the first monitoring round in the next few weeks, there are many challenges ahead for us as an Administration, not least water charges and Civil Service pay. Those challenges must be met with

political maturity by putting aside parochial interests to make tough yet practical and long-sighted decisions that will assist our economy to recover, with resultant benefits for the whole of our society.

I thank Members for their interest in this legislative stage of the public expenditure cycle. It is good to robustly debate the issues, and today's discussion has been good. Again, I thank the Committee for its support in securing accelerated passage, and for ensuring that the legislative timetable is adhered to in order to continue to deliver public services across Northern Ireland. I ask the House to support the Bill.

**Mr Deputy Speaker:** Before proceeding to the Question, I remind Members that, as this is a Budget Bill, the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That the Second Stage of the Budget (No. 2) Bill [NIA 8/08] be agreed.

## EXECUTIVE COMMITTEE BUSINESS

### Sea Fish Industry (Harbour, Landing and Light Dues) Scheme (Northern Ireland) 2009

#### **The Minister of Agriculture and Rural Development (Ms Gildernew):** I beg to move

That the Sea Fish Industry (Harbour, Landing and Light Dues) Scheme (Northern Ireland) 2009 be approved.

The sea-fish industry scheme provides much needed assistance for the sea-fishing industry, which suffered exceptionally high operating costs throughout 2008, mainly because of a steep rise in the price of marine diesel, which constitutes between 30% and 40% of the running costs of a fishing vessel. On top of that, the end of 2008 saw the effects of the global economic downturn start to bite, with a fall in demand for prawns, the mainstay of our fleet.

The scheme assists vessels with berthing charges and fish-landing dues, as well as fees for the use of navigational aids provided by lighthouse authorities. The assistance is only for costs incurred in 2008, and is a one-off measure until longer-term assistance, involving fleet adaption and restructuring, becomes available later this year through the European Fisheries Fund. The assistance is being provided under fisheries de minimis state-aid rules, which means that aid does not have to be notified to the European Commission, provided that no undertaking is paid that totals more than €30,000 over three years.

Any other de minimis payments that are made in three years would count towards the ceiling level. The Department will record the amount of aid that is paid now and in future to beneficiaries to ensure that de minimis ceilings are not exceeded.

I estimate that total funding paid under the scheme will amount to around £600,000. I am grateful to my Executive colleagues for approving funding for the scheme, which is part of the overall package of measures that the Minister of Finance and Personnel announced in December 2008 to assist our economy through the downturn. I am pleased to advise the House that, by the closing date of 12 June 2009, 174 claims were lodged. I expect the first 50 claims to be paid by 30 June and the rest to be paid during July 2009.

This assistance is important in building confidence in our fishing industry, and it will encourage the sector to embrace the change that is needed to meet the challenges ahead.

**Mr Shannon:** I thank the Minister for her statement. I have lobbied long and hard for help for the fishing industry, and it is good to hear about a good news story that is worth £566,000. The fishing industry needs that sort of news.

The Minister said that the scheme will qualify under what is referred to as the de minimis regulation. Have Scotland, Wales and England received similar funding? Can the Minister tell us whether there is any indication of how many licensed fishing vessels will qualify? I know that an equality impact assessment and a regulatory assessment have been done, and it seems that all fishing industries that are licensed in Northern Ireland that faced operating charges in 2008 will qualify. Does that mean all the fishing vessels in Northern Ireland? Is there an indication of the average amount of money that each boat will receive? I can see the Minister shaking her head that there is no such indication, but I asked the question anyway.

The approval of the scheme is good news. For many years, the fishing industry has, with respect, been the poor partner in the Department of Agriculture and Rural Development (DARD). The fact that the fishing industry is to get some financial recompense and help is an indication that, at long last, it is getting the help that it should. Many adverse comments have been made about the fishing industry, including those that were made as a result of the film that was on TV recently. Those comments are completely wrong and tell the wrong story about the fishing industry. Today, we have heard good news; let us highlight that news.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. As the previous Member who spoke said, the investment in the local industry is welcome. I thank the Minister for the efforts that she has made for the fishing industry, and I thank her Executive colleagues for backing her proposal.

The hardship package will help with paying harbour dues, landing fees and light dues. That will benefit a number of fishermen, particularly in my constituency of South Down. When the proposal was being worked up, the fishing industry, particularly the prawn sector, was under extreme pressure because of the price of fuel. We must focus on the sustainability of the fishing industry, and we must prepare the fleet to be more fuel efficient. Grant funding from the EU fisheries fund can help to work towards modernising vessels to meet health and safety requirements and to improve working conditions while at sea.

The European Commissioner for Maritime Affairs and Fisheries, Joe Borg, announced recently a Green Paper on reform of the common fisheries policy. A period of consultation on that Green Paper will last until 31 December 2009 and is open to every EU citizen. The Green Paper covers every aspect of current policy, so I encourage everyone to get involved in the process, to make their views known, and to consult widely.

Irish fishermen felt very aggrieved at the share of the fish stocks that they received when the first



common fisheries policy (CFP) was put in place. Ireland, North and South, has been given a raw deal by the common fisheries policies. Many say that the South had its begging bowl out and was looking for Europe to fill it. In my opinion, it was the other way round. Irish waters have been exploited by many European nations at the expense of Irish fishermen, North and South.

I reiterate that we need to work on the Green Paper consultation. We need as many responses as we can get. I know that Members opposite will work towards that, as will colleagues to my left whose constituencies are affected by fishing cuts on a regular basis. It is up to Members. This is a big opportunity for us to put forward our views and effect real change. We must look at how other groups of countries, for example, the Scandinavian countries, manage their fish stocks. Obviously, conservation must be taken into consideration, but measures must be sensible, and all countries must be involved. There is a unique opportunity to achieve progress and to move forward, working together. I hope that we will make a real difference.

**Mr McCallister:** I support the adoption of the Sea Fish Industry (Harbour, Landing and Light Dues) Scheme (Northern Ireland) 2009. As has been said, the fishing industry has been under tremendous pressure over a number of years. I agree with Jim Shannon's point that fishing seems at times to play second fiddle to agriculture and rural development in the Department. I welcome this measure, and it is widely welcomed in the fishing industry.

As well as the long-term recession, which has affected fishing, there is the flawed common fisheries policy, the quota scheme and the travesty of dumping excess catch, all of which have made life extremely difficult for our fishermen. The scheme is designed to alleviate some of the current financial pressures and, therefore, it is very welcome. I urge all fishermen to claim for all the harbour, landing and light dues to which they are entitled. The scheme will reduce some of their outgoings.

What steps will the Minister take in the future? Other member states have availed of such schemes in the past. Will legislation be required here or at Westminster to ensure that our fishing industry will not be disadvantaged in the future? What negotiations are ongoing in Europe on the common fisheries policy? The Minister may not yet have had an opportunity to make plans, but will she meet with our newly elected MEPs to discuss how better to represent our fishing industry in Europe? How will the Minister push the fishing agenda higher up DARD's list of priorities?

**Mr P J Bradley:** I thank the Minister for moving the motion, which, like the three Members who spoke previously, I welcome. The scheme will mean survival

for some, although perhaps it has come too late for others who have left the industry. We are trying to keep the industry alive. After fairly lengthy negotiations, the Minister has finally got us to this point, and we welcome and appreciate that.

I have two minor concerns. Doubtless, the Minister would say that I would not be me if I did not have some minor concerns. First, the Minister's explanatory leaflet shows that not everyone was consulted during the process owing to time limitations. Has she any short-term or long-term concerns that a full and all-inclusive consultation process was not adopted before this stage?

Secondly, it is stated in rule 10 that the Department has the right to charge interest on unpaid recovery money. It will charge interest at the rate of 1% above the LIBOR (London interbank offered rate). Will the Minister adopt the same principle across farming? For example, when farmers are due money from the Department, will they receive interest? The Department is entitled to charge interest on money that is due to it.

6.15 pm

#### **The Minister of Agriculture and Rural**

**Development:** I am pleased that the scheme has gained broad support in the Assembly. I thank the Chairperson and members of the Committee for Agriculture and Rural Development for their valuable contributions. I also want to thank Members, even those who are not members of the Committee, for their comments in the House today.

It is a good day and must be seen as such. Around £600,000 will go into the fishing industry. A number of Members, including John McCallister and Jim Shannon, commented that the industry is beleaguered and plays second fiddle to agriculture. To be honest, when compared with the agriculture sector, the fishing industry is much smaller. However, it is very important, and we have made the point consistently in Europe that, from a social, economic and cultural point of view, vulnerable coastal communities must be protected and enhanced at all costs. That is why we take our strong argument to Brussels every December to discuss quotas; to try to get the best deal for the fishing industry. However, the Assembly must not lose sight of the fact that there will still be challenges for the fishing industry during the coming period; it is not immune to the economic downturn.

Although we do not necessarily have a ballpark figure, the amount that each vessel receives will depend on its size and the amount of fish that it lands. For example, a 16-metre prawn trawler would receive around £2,600 through the scheme.

I was asked whether I will offer support in the way that other countries do. I am now looking to the European fisheries fund, which will open on 30 June

2009. The Department has had good discussions with the catching and processing sectors of the industry and with environmentalists about how to help the industry adapt and restructure so that it will be able to resist short-term difficulties and plan for the future. Ultimately, the Department's role is to help the industry prepare for, and be part of, the future. All vessels in the fishing fleet will be included in the scheme. There is no size limit, and there has been much interest in the scheme.

I hope to meet the three MEPs soon to discuss some of the points that Members have raised: a meeting is being organised as I speak. I agree with Members that the Department must work closely with the MEPs to get the best deal for fishing communities. Tomorrow, I will meet officials from Brussels, and I will take part in a video conference to discuss the future. Work is, therefore, ongoing. Although what happens in Brussels in December gets the headlines, our work for fishing communities carries on for 12 months, 52 weeks, of the year. We never take our eyes off the ball.

As regards PJ Bradley's question about charges; this debate is about the Sea Fish Industry (Harbour, Landing and Light Dues) Scheme. Therefore, I am not in a position to answer his question. Certainly, the scheme is evidence of how a local devolved Administration, the Executive, can deliver for communities that need help most. I am pleased that we are in a position to do that.

I hope that I have addressed Members' concerns. I will look at the Hansard report to see whether I have missed anything. If so, I will be happy to respond in writing. In conclusion, I hope that we are demonstrating, through the scheme, our belief in the fishing industry's future. I believe that confidence will be built as we work together with the industry to reposition it to become sustainable and profitable in the long term and, therefore, better able to deal with the challenges that we know will come. Go raibh mile maith agat, a LeasCheann Comhairle.

*Question put and agreed to.*

*Resolved:*

That the Sea Fish Industry (Harbour, Landing and Light Dues) Scheme (Northern Ireland) 2009 be approved.

## **Occupational Pension Schemes (Contracting-out) (Amendment) Regulations (Northern Ireland) 2009**

**The Minister for Social Development (Ms Ritchie):**  
I beg to move

That the Occupational Pension Schemes (Contracting-out) (Amendment) Regulations (Northern Ireland) 2009 be approved.

Between 1978 and 1997, if a defined benefit occupational pension scheme wanted to contract out of the state additional pension, the employer had to agree that the scheme would pay at least a statutory minimum level of benefits. It was known as the guaranteed minimum pension (GMP). However, GMPs ceased to accrue in 1997 and for service beyond 1997, a new standard, the reference scheme test, applies.

It is widely acknowledged that the rules relating to GMPs are complex and add to the administrative burdens faced by pension schemes. The Pensions Act (Northern Ireland) 2008, which completed its passage through the Assembly in December 2007, sought to address that issue. It allows pension schemes the option of converting GMP rights into ordinary scheme benefits, provided that the overall actuarial value is maintained. Before a scheme can take advantage of that option, a number of conditions must be met.

Those conditions are set out in primary legislation. One such condition is the requirement that post-conversion benefits be at least actuarially equivalent to pre-conversion benefits, another is the requirement relating to survivors' benefits. The primary legislation also provides for regulations to prescribe how actuarial equivalence is to be determined and the circumstances and periods in which the converted schemes must provide survivors' benefits. That is the purpose of the regulations.

The regulations provide that the scheme trustees be responsible for determining actuarial equivalence. In doing so, the trustees must seek advice from the actuary about what assumptions are to be used for conversion. To ensure that actuarial equivalence has been achieved, the trustees must arrange for the actuary to calculate the actuarial values of the pre- and post-conversion benefits. If the actuary is satisfied that actuarial equivalence has been met, the actuary must provide the trustees with a certificate to that effect within three months of the completion of the calculations.

The regulations also prescribe the circumstances in which and the period for which survivors' benefits are payable from the new scheme benefits. That is after the conversion of the GMP. To protect the position of a survivor, such as a widow, a widower or a surviving civil partner, the circumstances under which a survivor's benefit is payable remain the same as those

that apply before conversion, as does the period for which it is payable.

The rules for survivors' benefits are, as Members can probably imagine, complex and technical. In broad terms, the regulations provide that a survivor's benefit may be withdrawn if the survivor is not in receipt of a relevant benefit, such as bereavement allowance, widowed mother's allowance or widow's pension. If the survivor is aged over 45 when entitlement to a relevant benefit ceases, a survivor's benefit is payable so long as the survivor does not remarry, form a civil partnership or live with someone as though he or she were that person's spouse or civil partner.

In summary, the regulations ensure that post-conversion benefits are actuarially at least equivalent to the pre-conversion benefits and that the current rules, which specify when and for what period a survivor's benefit is payable, are retained post-conversion. The regulations enable contracted-out defined benefit occupational pension schemes to simplify their benefit structures by moving to one set of scheme rules.

Finally, I make it clear that the facility to convert GMPs is purely an optional one that has been made available to schemes and that the requirements of those regulations become mandatory only at the point at which a scheme decides that it wishes to convert its GMPs.

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** I am not sure how to follow that.

The Committee for Social Development considered the Occupational Pension Schemes (Contracting-out) (Amendment) Regulations (Northern Ireland) 2009 at its meetings of 5 March 2009 and 23 April 2009.

The regulations contain several technical amendments to pension rules that outline the basis under which benefits from occupational pension schemes can voluntarily be converted to actuarially equivalent scheme benefits. The conversion facility allows schemes to fix future liabilities and simplify benefit structures to make administrative savings.

As the Minister highlighted, pension matters are often complex but always important. The regulations add further elements to the pensions framework that will allow occupational schemes to make, among other things, administrative savings. The Committee welcomes a strong, targeted regulatory structure for pensions and therefore recommends that the Assembly confirm the Occupational Pension Schemes (Contracting-out) (Amendment) Regulations (Northern Ireland) 2009.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I thought that I understood the regulations when the Committee examined them, but I now realise

that I did not. On this occasion, I will accept that the Minister knows what she is talking about and leave it at that.

**The Minister for Social Development:** That was quick. I am pleased with the consensus in support of the regulations. I am unsure whether their complexity has baffled everybody or whether we all firmly support a sound regulatory structure for pensions. I believe that it is the latter. The Deputy Chairperson affirmed the Committee for Social Development's view, and I hope that the Assembly confirms the regulations. I accept Mr Brady's support.

In summary, the regulations facilitate the conversion of guaranteed minimum pension to enable pension schemes to simplify their benefit structures and ensure that benefits maintain their actuarial value after conversion. Although the amendments are largely fairly complex technical amendments, it is important to have a sound regulatory structure for pensions to ensure that people feel that their pension payments are protected. I commend the motion to the House and thank Members for their support.

*Question put and agreed to.*

*Resolved:*

That the Occupational Pension Schemes (Contracting-out) (Amendment) Regulations (Northern Ireland) 2009 be approved.

## PRIVATE MEMBERS' BUSINESS

### Increased Income for Ex-Service Pensioners

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

**Mr Shannon:** I beg to move

That this Assembly supports the campaign by the Royal British Legion and Age Concern to increase the income of ex-service pensioners who are living on an income below the minimum required for healthy living; and calls on the Minister for Veterans to implement the reforms proposed in the campaign.

I seek the Assembly's support for an increased income for ex-service pensioners. It is an important issue. In my constituency, I am well known for my support for the troops by word and deed, and through practicalities, too. I offer heartfelt thanks to everyone who supported the Soldiers, Sailors, Airmen and Families Association's (SSAFA) "Big Brew Up" morning. That organisation supports soldiers, airmen, naval personnel and their families. Last year, we raised more than £1,000 for servicemen and their families, and we intend to do the same this year. I may be engaging in a PR exercise by telling people that we want to raise more than £1,000 in October 2009.

My support for the troops is ongoing, and it has always been in my heart. I pray for our troops daily, and when I read what has been done wrong on or could be done better off the battlefield, I seek ways to help, and that is why I tabled the motion. For that reason, I have lobbied for them many times, wearing my other hat as a local councillor. I, along with others, have lobbied successfully for the amount of compensation that troops receive for serious injury. We have been successful with that.

6.30 pm

I ask Members for their support for retired servicemen and servicewomen. That support is vital for those who have sacrificed much and who should not be forgotten.

The campaign was launched at the Dig for Victory exhibit in St James's Park London. It was a stark reminder of just how deep down millions of British folk suffered because of the Second World War.

The Director General of the British Legion, Chris Simpkins said:

"We all thought rationing was history. But we were wrong. Even the Chancellor says we're facing the worst economic time in 60 years and this has a crushing impact on the elderly. The Government must give them the help they deserve — making it easier for them to access their entitlements and giving them a level of income to ensure their basic needs are met."

dacint incum tae be shair that aw ther real needs er met, tae keep budi an sul tha tither."

A campaign was launched at the Dig for Victory exhibit at St James's Park in London. It was a poignant reminder of the deprivation that was suffered by millions of British people during the Second World War. The Director General of the Royal British Legion, Chris Simpkins, said:

"We all thought rationing was history. But we were wrong. Even the Chancellor says we're facing the worst economic time in 60 years and this has a crushing impact on the elderly. The Government must give them the help they deserve — making it easier for them to access their entitlements and giving them a level of income to ensure their basic needs are met."

The facts are that five million members of the ex-service community are aged over 65, and they make up half of the UK's 10-million strong retired population. In 2005, the Royal British Legion conducted substantial research into the welfare needs of its beneficiary group. It was found that a high number of people over 65 years of age reported being on no or very low income. More than 384,000 ex-service adults reported living on an income of less than £10,000 a year. It was also shown that many of our older beneficiaries live on very low and inadequate incomes.

In June 2008, a MORI poll conducted via a telephone survey of older members of the ex-service community on behalf of the legion found that more than one third of respondents find it either difficult or very difficult to manage on their current income. Some 38% are living on an income below what the Government have deemed to be the minimum necessary to meet the basic social, nutritional and medical needs for a healthy lifestyle, which is £7,072 for a single person and £11,200 for a couple. One in 10 respondents said that they had to go without sufficient food, and we all know people to whom that has happened. Some 17% said that they had to go without full central heating, and such stories multiplied throughout the winter and into the spring.

The legion and Age Concern believe, and I fully agree, that to assist older members of the ex-service community who are struggling on a low income, the Government should, through the veterans agency and Minister Derek Twigg, develop an automated payment system for rates benefit for older people; rebrand rates benefit to reflect its true nature as a rebate; remove the £16,000 capital limit for rates benefit for those over retirement age; make the statutory disregard of war pension income 100% when means-testing for rates benefit and housing benefit; work with the energy industry to provide a £50 fuel voucher to all pension credit recipients who are aged over 70; and exempt recipients of war pensions from means-testing for disabled facilities grants that are required as a result of service-related injury and disablement, a very simple measure that should be taken. Finally, the personal



expenses allowance for residents of care homes should be doubled, which is a topical issue.

Although the list of needs seems to be lengthy, in reality they are mostly common sense and are not big demands. For that reason, the Assembly should offer its support to the campaign to ensure that our retired servicemen and servicewomen do not have to return to rationing.

As the economic crisis continues, it is the vulnerable who suffer most. As Assembly Members, we have a duty and role to protect and aid those who fought for us and who cannot now fight for themselves. We must now fight for them; how much more so for those who have stood and fought for our protection and aid when we could not have done it for ourselves?

I do not mean to grandstand, Mr Deputy Speaker, but the facts are that those people, along with our police and Fire Service, do jobs that you and I could not begin to understand or even imagine. What they have seen and done are things that we never want to see or do. For those people to have survived what they have only to be all but abandoned when they come home and retire is nothing short of scandalous. Something must be done.

Recently, the Ministry of Defence conceded that the complexity of the forms put many veterans off claiming their entitlements, and those who have filled in such forms for veterans will be aware of the issues. Many people are averse to claiming any benefits and are uncertain about their eligibility. Although there is a benefit culture, those people feel embarrassed to ask about benefits. I believe that they should be encouraged to do so.

In response, the Ministry of Defence has reduced red tape and has linked disability and carers' allowances and pension credit so that claimants will be told what other benefits they can apply for. Furthermore, pension credit application forms can be used for Ministry of Defence claims. The Social Security Agency will pass pertinent information to the Ministry of Defence so that veterans who make a claim will not have to think more about that matter. We are fortunate to have pension advisers in the Department for Social Development. I have consulted them in the past, and I am sure that many other Members have done so. They have been very helpful in indicating the benefits that are available to me and which ones I should apply for. Even if people are not sure about which benefit to apply for, pension advisers can give advice on benefits they might qualify for.

Among other things, thought has been given to the upper savings limit, although nothing has been confirmed. I believe that more can be done about that discrepancy. The Royal British Legion has fought for many years to ensure that veterans get what they have

earned. The new policy is a major step towards achieving that goal. I am glad to hear that there will be less red tape and a lot more common sense. We all wish that that were the case every time we raise an issue with a Department. However, that is enough.

The Ministry of Defence has not answered the list of needs that I mentioned. Today, the Assembly has an opportunity to stress that those needs must be met and that structures should be put in place before the onset of another winter, when more problems will arise. We are all aware that pensioners — in this case, ex-service veteran pensioners — find it difficult to manage through the winter. The proposal in the motion is intended to help those people.

The Royal British Legion and Age Concern do tremendous work in improving the lives of elderly ex-service people, but those organisations can only do so much. The rest must be done collectively by Members of the Assembly, our Members of Parliament at Westminster, and Members of the Scottish Parliament and the Welsh Assembly so that we can make a positive difference to the lives of the people we are here to help.

We are fortunate to have the opportunity to represent our people at the highest level and to the best of our ability. I ask Members to support the motion, and I call on the Minister for Veterans to step up to the mark and implement the proposed changes as a matter of urgency. He must ensure that those men and women do not have to fight to survive a wartime winter, having fought and won their war a long time ago.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I will preface my remarks by saying that I have a huge history of British Army involvement on my maternal side in the Boer War, the First World War, Second World War and the Korean War. My father-in-law, who lives with me, my wife and my family, spent 10 years in the RAF. I am not anti-veteran in that sense, and what I am going to say applies to all pensioners. I hope that Members will take the right meaning out of what I have to say.

The motion calls for an increase in:

“the income of ex-service pensioners who are living on an income below the minimum required for healthy living;”.

Those words stood out on first reading. Surely that wording applies to the vast majority of pensioners, whatever their background or previous occupation. Why concentrate on one specific group of pensioners? As Sinn Féin's spokesperson for older people I advocate on behalf of all older people and make no exceptions, and I will continue to do so. As I have said on numerous occasions, the fact is that in the North and in Britain we have the meanest pension scheme in the entire developed world. That situation must be addressed on behalf of all pensioners.

Many issues impact adversely on older people. Fuel poverty is a scourge on our society. It affects many older people and can have a serious impact on their health, which directly affects healthcare provision. The rising costs of oil, gas and electricity leave many older people at risk.

**Mr Shannon:** I just want to clarify an issue. Age Concern — I know that Mickey is involved with it — has also supported the campaign, and the Minister for Veterans has accepted the specific campaign for veterans that has been identified by the Royal British Legion. We are not trying to exclude anybody, but a certain category of people has been identified as being under more threat and being in more danger of losing income. I feel that that has to be said.

**Mr Deputy Speaker:** The Member has an extra minute in which to speak.

**Mr Brady:** I thank the Member for his intervention. I absolutely accept what he is saying, and I was going to address some of the issues that the British Legion and Age Concern raised later in my speech.

Approximately 200 older people die of cold-related illnesses each year, and I am sure that that figure includes ex-service veterans. That is an appalling statistic in any civilised society. Households headed by older people are much more likely to be in fuel poverty. Statistics show that 39% of those aged between 60 and 74 and 42% of those aged 75 and over are more likely to suffer from fuel poverty. Older people are more likely to live in older houses, which are less likely to be energy-efficient. Many older people live in accommodation that is in an unfit state of repair or below the decent homes standard. Surely, that needs to be urgently and effectively addressed.

A British Legion news bulletin dated 17 May 2009 stated that many older veterans are too proud to claim benefits. The legion found that one third of the ex-service community over the age of 65 have an income that is inadequate to maintain a healthy lifestyle. Again, I argue that that applies to the vast majority of pensioners who are living below the poverty line.

The British Legion and Age Concern are campaigning to increase the incomes of older people who are living in poverty. They say that the situation needs to be addressed by increasing the incomes of older people, and I agree absolutely. Suggestions include the exemption of war pension recipients from means testing for disabled facilities and grants and the doubling of personal expense allowance for residents of care homes. Those positive recommendations should be introduced for all pensioners.

A survey conducted by Age Concern and the British Legion in 2005 showed that a large number of people over the age of 65 reported being on a low or very low income. Some 75% of those aged over 75 were on a

net household income of less than £10,000 a year, and Mr Shannon referred to that.

Age Concern and the British Legion have said that war pensions should not be taken into account for the purposes of means-tested benefits. That approach could also be applied to other benefits, such as carer's allowances. Mr McNarry introduced a Carer's Allowance Bill in the Assembly, which would have allowed pensioners to collect both a carer's allowance and their pension. The Bill was put on hold, as far as I am aware, because a review of carers' benefits was being carried out, and it has just been completed.

Realistic benefit and pension rates need to be introduced to enable our older people to enjoy an acceptable standard of living. Over £1 million in pension credit remains unclaimed in the North each week. That has been referred to by the British Legion and Age Concern.

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

**Mr Brady:** In my experience, many older people do not claim such benefits because of a fear of the complexity of the system and because of a lack of information. Initiatives to improve take-up of benefits must continue.

Our older people should not be left feeling marginalised and isolated, as many of them do at present. We owe them all a debt of gratitude for helping to shape the society in which we live. We should never underestimate their contribution.

**Mr Elliott:** I congratulate the Members who tabled the motion. It is a very important debate.

Ex-service pensioners should be held in the highest esteem by Northern Ireland society and everyone in the Chamber. A number of the people about whom we are speaking today fought in the Second World War and were prepared to pay the ultimate price so that we could experience the democratic freedoms and rights that so many take for granted in the Province.

6.45 pm

My party and I fully support the campaign by the Royal British Legion and Age Concern, because it seeks to raise awareness of the difficulties faced by many ex-service personnel and their families. The debate also highlights the predicament of many pensioners across Northern Ireland who, as Mr Brady said, struggle to stay above the poverty line.

Like much of Europe, the United Kingdom has an ageing population; as people live longer, the amount of money that they have to save to live comfortably into their retirement grows. However, countless pensions across the United Kingdom and Northern Ireland have diminished significantly over the last number of years.

Many private pension schemes have closed, and the national pension scheme is widely regarded as inadequate, leaving large numbers of older people facing very uncertain futures in the immediate and longer term.

The rising costs of food and fuel, coupled with the recession and the credit crunch, have hit the least well off the hardest. In Northern Ireland, the proportion of elderly people with no savings is twice that in Great Britain. That leaves many pensioners and ex-service personnel in Northern Ireland living in poverty, which is totally unacceptable. Therefore, it is crucial that Her Majesty's Government and the Executive give older people all the help that they need to access the benefits and rights to which they are entitled so that they have a level of income that, at the very least, ensures that their basic needs are met.

In the main, the British Legion's campaign focuses on veterans of the Second World War and national service, their spouses, widows and widowers. Over five million people from the ex-service community are thought to be of pensionable age, and a further 1.3 million people are nearing it. A survey conducted by MORI found that 38% of veterans exist on an income lower than what is considered necessary for a healthy lifestyle — £7,072 per annum, or £136 a week, for a single person and £11,200 for a couple. Research also found that 15% of people go without full central heating, and 10% do not have enough money to buy food that is considered necessary for a healthy lifestyle. No pensioners, especially ex-service personnel, deserve to live in poverty, and it is no way for our society to treat people who bravely defended the nation and gave us the rights that we have today.

I seek clarification from the Members who tabled the motion about the council tax benefit and how a rebate would convert to the rebranding of rates relief for pensioners in Northern Ireland. What discussions have those Members had with the Minister of Finance and Personnel about that? Some discussion on that issue may need to take place.

I strongly welcome making war pensions exempt from the means testing of disabled facilities grants. The means testing of disabled facilities grants suggests that the sacrifice of some people is worth less than that of others, which is clearly wrong. I also welcome the doubling of the personal expenses allowance for residents of care homes, which will go a long way to increasing comfort and dignity for many older people in care. I note and welcome the Minister of Health, Social Services and Public Safety's ongoing pursuance of free personal care for the elderly.

Although I agree with removing the £16,000 capital limit for council tax, the compatibility of that with Northern Ireland needs further examination, as the

Minister of Finance and Personnel recently increased exempt capital savings on rates relief from £6,000 to £10,000. We must also do more to increase pensioners' uptake of benefits to which they are entitled. I support the motion.

**Mrs M Bradley:** I support the motion. However, while I am delighted that Age Concern has given its support to something like this, I believe that the campaign could and should be extended and made a blanket issue to cover older people in general.

The debate today will open a discussion which applies not only to ex-servicemen and ex-servicewomen but to the older community in general. Many older people are paid meagre occupational pensions which just about push their incomes above the thresholds that would normally entitle them to additional benefits. Hence they find themselves in severe financial crises.

Almost 50% of the UK's older people are ex-servicemen and ex-servicewomen, and most live in care homes. When preparing for today's debate, I was struck by the similarities to and resonance with other debates that have taken place in the Chamber that were based around older people and their standard of living or lack of it. The information on the British Legion's website pertaining to today's debate is strikingly similar, with almost 70% of those entitled to help with council tax, or in our case rate relief, not applying for it.

Approximately £21 per week is a common amount on which those pensioners have to live, and that is disgraceful to say the least. Some older people will ask organisations to help them check their entitlement to benefits, but many others will not share their information with anybody and will continue to struggle on regardless, sometimes not knowing that they are entitled to other benefits.

The plight of the ex-servicemen and ex-servicewomen runs even deeper. Many require additional physical assistance like the installation of chairlifts or the reorganisation of a bathroom and toilet to make it accessible, because of an injury sustained during their service. Although they often must make a huge financial contribution to that work, they do not have enough money to live on, buy regular healthy food or run a safe and warm home environment.

As I said at the outset, today's debate could be applied to each and every household in Northern Ireland where an older person lives. The bottom line is that they do not have enough to live on and maintain a healthy lifestyle. The only option open to them is to sit in the one room that they can afford to heat and stay as warm as they can. Furthermore, some older people cook and eat products that are out of date and no longer safe to eat.

Surely, it is time that we, as an Assembly, banged on the door of the Prime Minister and the veterans Minister



to ensure an increase in the benefits for all older people, ensuring that those benefits are earnings-related and reflect the real monetary terms and requirements of today's society. That is an honest requirement, not a request for luxury or free money.

**Ms Lo:** I support the motion. In general, our state pension has not kept up with inflation over the years, and therefore, many pensioners now struggle to pay their bills. Indeed, not all that long ago we saw the protests by older people at Stormont with their slogan of "Eat or Heat." Surely, there is something that we can do; they cannot do without either of those things.

I attended a recent Stormont seminar where groups of older people came to ask MLAs questions. A repeated theme of the discussions was how complicated it is to access welfare benefits. Those benefits are money that pensioners are entitled to, over and above their pensions. Many of those benefits are means-tested, meaning that if pensioners hold savings they do not qualify. Many of the pensioners see that as being unfair, as they have saved for their retirements, yet they are penalised for state benefits which they have contributed to through National Insurance contributions during their working lives.

The Royal British Legion and Age Concern campaign is very worthwhile and deserves the support of the Assembly. Currently 38% of ex-service pensioners report an income below the minimum required for healthy living, and that is totally unacceptable. Those ex-servicemen and ex-servicewomen fought for freedom for us all during the Second World War and endured severe hardship during and in the aftermath of that war. We must show them our gratitude for what they have done for their country. They deserve our respect and a decent income to afford them their dignity without having to endure poverty.

The campaign calls on the Government to address the issue by taking a few measures, none of which would appear to be particularly demanding or which would stretch Government finances. It is reasonable to request that an automated payment of council tax benefits to older people be developed and that council tax benefit be rebranded as a rebate to encourage older people to take up their entitlement. The requests that other Members made are common-sense approaches to help pensioners out of poverty.

When it comes to encouraging people to claim benefits, older people are one of the hardest groups to reach. They do not want to be seen as sponging off the system, and they often find the benefit forms too cumbersome to complete. Therefore, anything that helps them to claim their entitlements should be welcomed.

**Lord Browne:** I support the motion, and I welcome the fact that the Royal British Legion has joined forces with the national charity Age Concern to

launch a nationwide campaign that has the objective of increasing the incomes of older people who live in poverty.

The campaign, which was launched in September 2008, has received enormous support throughout the United Kingdom. Earlier this year, a petition with more than 25,000 signatures was presented to Her Majesty's Government by Lieutenant General Sir John Kiszely, national president of the Royal British Legion. Although the campaign's aim is to increase the income of older people who live in poverty, it has the specific objective of increasing the income of ex-service pensioners who live on an income that is below the minimum that is required for healthy living.

Indeed, 38% of ex-service pensioners are reported to have an income that is below that required level. I am sure that Members agree that that is completely unacceptable and is an indictment of how our nation treats those who have served our country unselfishly. It is also extremely disturbing to learn that many ex-service pensioners have, as a result of poverty, been forced to ration everyday essentials. That is similar to their experiences during and after the Second World War. Therefore, it is only right that the Royal British Legion and Age Concern are campaigning to increase the income of older ex-service members who live in poverty.

We have heard that research has shown that a significant number of older members of the ex-service community live on low or very low incomes. We heard from Members that the minimum income for healthy living is just over £7,000 per annum for a single person and £11,200 for a couple. Again, it is disturbing to learn that a recent MORI survey found that 38% of veterans and their spouses and/or widows or widowers reported having an income that is well below those levels.

The people to whom we are referring have made great sacrifices, and they deserve and, indeed, are entitled to have greater help. The current situation is unacceptable, and it is disgraceful that those who fought for Queen and country and to whom we are indebted find themselves in this position.

Although we, along with the Royal British Legion, welcome the Government's decision not to reclaim overpaid pensions, we call on the Government to offer the necessary relief to veterans and widows who will lose out as a result of overpayments to the armed forces' pension scheme. Those veterans and widows will now not benefit from the normal increase in their pensions. As the director of welfare of the Royal British Legion said:

"The overpayment relates to the Guaranteed Minimum Payment under the Armed Forces Pension Scheme. This means that those on the lowest pensions will be most affected by the Government's error. This comes at a very difficult time for veterans living on low fixed incomes. The current financial climate means veterans are



living on less and are unable to realise the capital in their assets. These are issues that have been raised by the Legion since the launch of our Return to Rationing? campaign in September and the Government now needs to address the ever reducing incomes of older veterans and widows."

7.00 pm

In 2005, the Royal British Legion reported that a high number of over-65s were living on low or very low incomes and more than 384,000 ex-service adults were living on an income of under £10,000 a year. For a number of years, I have had the privilege of regularly attending meetings of the Burma Star Association and have, therefore, seen at first hand some of the difficulties that face many ex-service personnel. Part of the problem is a lack of communication and it is, therefore, vital that the Government establish and maintain a database to enable all ex-service personnel to be kept informed of the available help and benefits. I support the motion.

**Mr G Robinson:** Over the last few weeks, none of us could have been oblivious to the 65th anniversary of the D-day landings. The veterans' stories are moving, and memories of that day remain vivid to the people who were there. By multiplying those experiences by many thousand, one can start to comprehend the scale of service that service personnel give to the United Kingdom. For that reason, we must ensure that our veterans are looked after.

Many ex-servicemen and ex-servicewomen continue to defend the freedoms that we take for granted and to bring those freedoms to other countries. They do not question the political reasons for their deployment; they just do their job. Is it unreasonable for us to give something back to the people who helped to defend us? Clearly, it is not. The Royal British Legion has made some practical recommendations in conjunction with Age Concern. The recommendations that are most relevant to the debate include the 100% disregard of war pensions for housing benefit and the 100% exemption of war pensions for disabled facility grants. Those measures target the ex-service personnel who are in greatest need of assistance.

Everyone in the Assembly has reason to thank those who served in two world wars and in many other conflicts. Many of us can trace our ancestry to those who defended the freedoms that we enjoy. Is it fair for us to expect those people to pay for disabled facilities simply because they have a war pension? I do not believe that it is. It is time that our ex-service personnel were shown that we all appreciate the service that they gave to their country.

Regrettably, the realities of war are being brought home to today's young people as the repatriation of coffins is shown on the news. People such as Major Phil Packer remind us of the horrific price that some people pay for doing their job. However, such people

also provide inspiration as they overcome the injuries that they sustained while serving their country. Our service personnel do an extraordinary job; therefore, the support that we give them should be extraordinary. The motion seeks to guarantee that ex-service personnel of today, and those of the future, will be given a little back by the country that they served.

I concur with the sentiments of the Members who said that all pensioners need our support. I congratulate the Members who secured the debate, and I sincerely hope that the motion will be passed unanimously. I remind all Members that our ex-service personnel come from all sections of the community. Those people deserve the respect and support of all Assembly Members. I fully support the motion.

**Mr Hamilton:** Although we are talking about veterans' worryingly low incomes, it is a privilege to talk in the Assembly about their valiant service. I am glad to honour our veterans for the duty that they have performed over the years on behalf of this nation and other nations in defence of democracy and freedom.

As many Members have said, the motion's reference to ex-service pensioners could be substituted for a reference to pensioners in general.

As Lord Browne mentioned, it is worth noting that while the campaign focuses particularly on veterans, it mentions the plight of pensioners in general. Therefore, by supporting the campaign, we are also supporting the cause for raising pensioners' incomes in general.

The reference to ex-service pensioners could be taken out of the discussion, and we could still be talking about something that is equally relevant to all pensioners. Ex-servicemen and ex-servicewomen experience low incomes due to the complexity of form-filling, which is something that we all see in our constituency work. The forms are complex for many people, irrespective of age group and of whether they are veterans. However, they are particularly complex for elderly people. They find the forms very complicated and intrusive at times, because they contain a lot of personal information that, sometimes, they do not like to give because of generational concerns. They were brought up in a different way and do not want to give that information out.

There is a great pride, which comes through in a lot of the research. People of a certain age are very proud of that information, and they do not want to give it out. Equally, some elderly people do not want to be seen to be claiming anything at all. In many ways, that pride is probably deeper among ex-servicemen and ex-servicewomen, because they have done their duty and they do not want to be putting a hand out, even though they are more entitled than they believe that they are.

Someone asked why, when the problems are applicable to all pensioners, we are specifically

targeting veterans, but, I suppose, why not? Why should we not take a group of men and women who have served this nation and other nations valiantly down through the years and target their particular plight? If there was a motion before the House picking any other group of pensioners and highlighting their low incomes, it would have support from me and from everyone in the House. Indeed, I encourage Members to do that where they see particular problems, as we have done in the motion.

The particular problem was highlighted by the Royal British Legion and Age Concern campaign. Some 40% of veterans earn below the Age Concern figure for the minimum requirement for healthy living, which is £7,000 for an individual and £11,000 for a couple. Even that income is paltry, but to find a survey that shows that 40% of veterans earn less than that is frightening. We should target that group of pensioners in particular because of the service that they have given through the years.

We have all seen in recent times the great affection that is shown throughout the country for our veterans. I am thinking particularly of the recent Gurka campaign, which was headed by Joanna Lumley. Those veterans were some of the bravest fighting men anywhere in the world, and they were being treated abysmally and shabbily by our Government. There was a public outcry against that, and Government policy was changed. Therefore, there is great affection for our ex-servicemen. The same vigour that was shown in the campaign to give the Gurka who served in the British Army the right to live in the United Kingdom should be shown in the campaign to increase the incomes of our ex-servicemen.

There is a particular onus on us to highlight the plight of veterans than there might otherwise be for others, because our Government sent them to serve their country around the world. Unfortunately, in many of the theatres in which they engaged in combat, some veterans suffered great injuries, which have made it more difficult for them to get through life and, particularly, through old age. Therefore, there is a duty on us to fight for all, but there is perhaps an additional duty to fight for the veterans because of the suffering that they went through.

Some Members, including George Robinson and Tom Elliott, hinted that when we talk about veterans and pensioners, we think of the greatest generation, as they are sometimes referred to, who fought in the Second World War. As I was growing up, veterans were, to my mind, those who had served in the fight against Nazi Germany and fascism around the world. However, there is now a new generation of future veterans who will become pensioners. Even in my lifetime, people served in the Falklands to free the islanders from Argentinian occupation, in the first Gulf

war to rid Kuwait of Iraqi invaders and in places such as Sierra Leone, where servicemen from here fought valiantly to restore a democratically elected Government.

More recent examples include the theatres of Iraq and Afghanistan, where the battles are ongoing. Dare I say that another example is Northern Ireland, where the many local people who have served will become pensioners, at which stage they will have particular needs arising from the service that they gave.

We must be mindful that any changes made are not only for the benefit of the generation that automatically comes to mind when we think about veterans, such as those involved in the D-Day landings, as mentioned by George Robinson. We must also consider the future generation of ex-servicemen and ex-servicewomen who will be pensioners. It is a question, therefore, of correcting the system not only for those who are in the system now but for those who may be subject to it in the future.

Mr Elliott rightly mentioned some of the implications of the campaign for Northern Ireland. It is easy to say that the Westminster Government make changes without considering those implications. If the Assembly supports the campaign at a national level, the Executive have a duty to examine ways in which veterans can be helped at a local level through, for example, the rates system.

I encourage the Minister with responsibility for social security to consider ways to help. She may not easily be able to break parity on some benefits. However, if the Assembly fully endorses the campaign, perhaps she can raise the issue in meetings of various formats with her counterparts across the water and demonstrate to the Department for Work and Pensions at Westminster that the Assembly is supportive. Although the motion refers to specific benefits, there may be scope for changes to be made to others.

In the past couple of years since devolution was restored, the Assembly has done a good job in ameliorating some of the problems that pensioners face. The Assembly could always go further and, with infinite resources, massively so. However, the lone pensioner allowance that the Assembly introduced will be available to many ex-servicemen and ex-servicewomen. The savings threshold for some rebates and benefits in the rating system has also been changed to make those slightly easier to access.

I am happy to sum up the debate, and I am most encouraged by the generosity that has been shown throughout the Chamber not only to the veterans, although that is important, but to pensioners in general. I welcome the opportunity to speak on behalf of those who are on low incomes, particularly that group of veterans who also suffer. I presume that the Assembly

will give its unanimous support to the motion and to the campaign that will highlight all the issues that face veterans and the wider community of pensioners.

*Question put and agreed to.*

*Resolved:*

That this Assembly supports the campaign by the Royal British Legion and Age Concern to increase the income of ex-service pensioners who are living on an income below the minimum required for healthy living; and calls on the Minister for Veterans to implement the reforms proposed in the campaign.

*Motion made:*

That the Assembly do now adjourn. — [*Mr Deputy Speaker.*]

## ADJOURNMENT

### Shellfish Regulations for Recreational Fishermen in East Antrim

**Mr Deputy Speaker:** I remind Members that the proposer of the topic for debate will have 15 minutes in which to speak. All other Members who wish to speak will have approximately 10 minutes.

**Mr Hilditch:** This evening, I am grateful for the opportunity to highlight in the House some issues associated with shellfish regulations. I thank the Minister of Agriculture and Rural Development for giving her time and taking an interest in the subject, particularly at such a late hour.

It is a difficult subject because, although the aims of the regulations are understandable, they may penalise certain people. It appears that the new legislation introduced in May 2008 on unlicensed fishing for crabs and lobsters is causing some concern and highlighting several issues being faced by local fishermen in east Antrim, particularly at the mouth of Belfast Lough between the south of Bangor and the north of Carrickfergus.

*7.15 pm*

At the outset, I pay tribute to local hobby and recreational fishermen who play an integral role in providing a vibrancy and social atmosphere of well-being around the historic harbour at Carrickfergus, creating an activity for tourists and locals alike. In the summer months, they are a unique attraction in the harbour area.

Meetings have taken place and there has been lobbying over the past year, as many of the fishermen involved have more than 20 years' experience of the lough; they are passionate and have the lough's interest at heart. Over the past few years, local fishermen have noticed a significant increase in the amount of commercial boats fishing for crab and lobster, and they are extremely worried that commercial interests will soon empty the lough of shellfish. However, it is the hobby or recreational fishermen's interests that I intend to look at.

The regulations that were introduced in May 2008 apply only to recreational fishermen and limit them to landing up to five crabs and one lobster a day. They must not lift more than five pots and may no longer collect pots on behalf of one another using the same boat. Perhaps prohibiting fishermen from keeping

stock pots will encourage them to sell their stock for profit, which is not the aim.

Fishermen are likely to check their pots every day in the summer when they can lift a maximum of seven lobsters a week and 35 crabs. Surely there is a case for reintroducing some sort of regulated stock pot. Realistically, a fisherman might catch a lobster in each of his pots every day, which would mean a haul of 35 a week; however, he is permitted to keep only one fifth of his catch. It seems strange to have a rule that allows him to have and to check those pots, yet he is permitted to keep only one lobster a day of them. That may be another argument for having even a limited type of stock pot facility.

The Department's restriction on fishermen travelling together in one boat to lift one another's lobster pots may introduce an environmental concern and a health and safety issue, as it would encourage more boats onto the lough, burning more fuel. For health and safety reasons, it makes sense for fishermen to travel together, particularly during inclement weather and winter seas. Surely, the Department can be the fisherman's friend on that issue.

Elsewhere, the Scottish Sea Fisheries Council stipulates that no commercial gain can be made from recreational sea fishing, but does not regulate recreational fishing; it places no restrictions on the number of shellfish that may be caught by the hobby or recreational fishermen. They are permitted to keep a stock pot and the checking and landing of others' pots is a matter for the individuals concerned. There are differences in approach just across the lough, in Scotland.

The North Wales Sea Fisheries Committee allows its hobby fishermen to keep two lobsters and eight edible crabs a day; whereas the Kent and Essex Sea Fisheries Committee has no by-laws that restrict the activities of recreational fishermen. There is variation across the board.

At present, the only restriction that applies to commercial fishermen is landing sizes. Therefore, so long as the crab and lobster are within the correct landing size, the commercial boats are within their rights to take as much shellfish from the lough as they like. They record the amount of stock taken, but there is no restriction on the weight that they bring ashore.

Regulations are in place to govern the weight that can be landed by commercial freshwater fishing and commercial sea fishing concerns, yet there are no restrictions on how much a commercial shellfish fisherman can land. It seems unfair to have a limit for commercial freshwater and seawater fishing, but no maximum landing restriction for commercial shellfish fishing.

I welcome the fact that no restrictive licences have been issued since 2004 and that anyone wishing to fish

commercially for crabs must obtain a licence from a fisherman leaving the industry; however, that still leaves Belfast Lough with 180 licensed commercial boats under 10 m and 139 commercial licences for boats more than 10 m. That is more than 300 vessels, which seems excessive. I know that they are not all out at once, but the fact remains that they are all entitled to be on the lough.

My fear is that the area is not being restocked with shellfish at the same rate as it is being fished. In the next few years, we may be left with an emptiness about the lough. That has a knock-on effect on local fish traders, hotels, restaurants and shops, which will have to rely on buying expensive fish from abroad.

A side issue, of which we are all aware, is that adult and child obesity is a major public-health concern in Northern Ireland. Obesity is linked to heart disease. Bearing that in mind, several Departments are, thankfully, developing initiatives to reduce the problem, and eating more fish should be included in the promotion of healthy lifestyles and eating habits to improve the health of everyone in Northern Ireland through good nutrition. In east Antrim, there is a strong tradition of the families and friends of local recreational fishermen partaking in the catch to supplement their diets, and that should be allowed to continue.

I appreciate that some of the matters that I have raised might be considered contrary to conservation, but I believe that we must balance what is right and fair for recreational and hobby fishermen with the interests of big commercial operators. The local fishing culture must be conserved, protected and enhanced, including activities that surround the pastime. One only has to visit any of the small historic harbours along the east Antrim coast to get a sense of the social well-being in the fishing community.

I thank the remaining Members for listening, and I look forward to hearing their comments. Again, I thank the Minister for her interest, and I encourage the Department to consider the core issues of quotas, stock pots and the shared vessels of local recreational fishermen.

**Mr K Robinson:** I, too, congratulate the Minister on being here at this late hour. As we can see by the crowded Public Gallery and Benches, this is a popular topic. I thank David Hilditch for bringing this matter before the Assembly.

At first glance, the topic seems unimportant; however, to the folk who live along the north Down and east Antrim coasts, recreational fishing goes back many generations. As Mr Hilditch said, it brings colour to small local harbours and quays. In Carrickfergus, there is a little area called Fisherman's Quay, which is very attractive, even though the jet-skiers find it attractive for slightly different reasons.



On the face of it, given the size of lobster and crab catches involved, the local regulations seem restrictive. In such a situation, a balance must be achieved. There is a growing commercial interest in Belfast Lough, Larne Lough and coastal waters. One can understand that interest, and one sees the jobs that it can provide, which are welcome. However, the regulations are restrictive for recreational fishermen.

At this late hour, Members will be delighted to hear that I do not intend to rehearse in detail all the arguments that were put forward by David Hilditch. However, as he was working his way around the British Isles, one thing that struck me was the fact that Scottish fishermen, who fish within sight of the gentlemen on the north Down and east Antrim coasts, are not subject to any restrictions. They fish basically the same coastal waters. Welsh fishermen are subject to some restrictions. The fishing arrangements in the English Channel are surprising. I would have thought that, of all waters, the English Channel would be overfished and under pressure. However, if I have picked up correctly on what David said, there appear to be no restrictions in those waters.

Perhaps we should take a closer look at the restrictions that are imposed on fishermen here in order to determine whether some flexibility could be built into the regulations while allaying environmental concerns, which we all share, about over-fishing and long-term damage to inland and coastal waters. By the same token, we must allow recreational fishermen to fish. I am a member of the Committee for Culture, Arts and Leisure, which is trying to encourage people to go out, be active and use the environment positively. However, in this instance, people seem to be being penalised for doing that.

I thank the Minister again for coming along this evening to listen to the points that David Hilditch made, and I appeal to her to exercise any flexibility that she might have to address the concerns that have been raised.

**Mr Ross:** It is not often that one speaks when more Assembly staff are in the Chamber than Assembly Members. I congratulate Mr Hilditch for securing the debate and I thank the Minister for her attendance this evening.

I am no expert in the matter, but I am aware of the deep concern that some people have. Ken Robinson talked about how important this issue is to the people who fish out of Belfast Lough; some of them have been fishing recreationally in the area for 20 years. When they came to see me in my office, I noted their concern that there has been a substantial increase in the number of commercial fishermen who fish for crabs and lobsters in the lough. As my colleague said, they

fear that those boats will remove shellfish from the area and that recreational fishermen will lose out.

My colleague David Hilditch spoke about the Unlicensed Fishing for Crabs and Lobster Regulations that were introduced on 31 May 2008. They appear to be impacting most severely on recreational fishermen, including those in east Antrim: people for whom that activity is no more than a hobby. The legislation states that it is illegal for those who are not fishermen to land, bring to land or retain on board on a boat more than five crabs and one lobster per boat per day; use more than five pots; take on board a boat pots on behalf of anyone else; or use a stock cage.

That is where the practicality issue, to which Mr Hilditch referred, comes in. Fishermen appear to be discouraged from sharing a boat or helping one another out. He talked about the environmental impact that that would have and the safety factor; it would be beneficial for fishermen to go out together in inclement weather.

All Members who spoke said that Northern Ireland seems to be quite restrictive. The Scottish sea fisheries do not regulate against recreational fishing and have no restrictions on the number of shellfish that may be caught by hobby fishermen. Likewise, the north Wales sea fisheries allow their hobby fishermen to keep two lobsters a day; in England, the sea fisheries for Kent and Essex have no by-laws that restrict the activities of recreational fishermen. However, as Mr Hilditch said in his opening remarks, the stretch of water that we are talking about has some 319 commercial boat licences. As he said, that could lead to over-fishing of the area and leave the lough with no shellfish. The recreational fishermen feel that the commercial operators can take advantage of the legislation that penalises those who fish for a hobby, as no restrictions apply to commercial fishermen other than in relation to landing size.

I do not intend to speak for too much longer. However, like my colleagues, I appeal to the Minister to see whether there is anything that her Department can do to protect recreational fishermen and allow them to continue to fish in their local waters.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a LeasCheann Comhairle. I thank David Hilditch for securing this debate and I thank the Members who contributed to it; I am glad to take part in it. Despite the late hour, I am glad that I was here to listen to the contributions. I hope to respond to the issues that were raised. I will explain the reasons behind the recently introduced shellfish regulations and provide clarification on the points of concern. I hope to answer all queries; if I do not cover everything, I will come back to Members after the debate.

I will explain the background to last year's Unlicensed Fishing for Crabs and Lobster Regulations.

Pressures on the offshore fishing fleet have led to an expansion in the inshore sector. For some time, fisheries managers have been concerned about the possible over-fishing of crabs and lobsters. In 2004, a restrictive shellfish licensing scheme was introduced in the Six Counties and in England, Scotland and Wales to cap the level of commercial fishing for crabs and lobsters. At that time, licences were given to commercial fishermen who had a track record of fishing for crabs and lobsters. That capped the number of commercial shellfish licences, and it was an important measure that limited fishing efforts that targeted crabs and lobsters. The 300 licences that were mentioned earlier are for the whole of the North, not just for those who fish out of Belfast Lough.

Anybody who now wants to fish commercially for crabs and lobsters can do so only by transferring a licence from a fisherman who is leaving the sector. There are usually enough people leaving the sector to satisfy the demand from those wishing to enter it. However, some people have decided to move into the sector to operate on a commercial basis without a licence because they are not prepared to invest in the fishery in the same way that those operating legitimately have done.

7.30 pm

Selling shellfish without the required licence is illegal, and it poses a threat to the sustainability of the stock because it is unregulated. Illegal fishing activity also undermines the market for crabs and lobsters, and, therefore, the market return of licensed fishermen is less. Under-the-counter trading can have the effect of oversupplying the market and depressing prices.

Those fishing illegally are also more likely to break other fish conservation rules, such as complying with minimum landing sizes and landing lobsters that have been V-notched. Members may be aware that the V-notch scheme, which receives financial support from my Department, involves commercial fishermen marking a proportion of breeding lobsters with a V-notch and returning them to the sea to increase the brood stock, thus ensuring the sustainability of the fishery. Certainly, there has been a great deal of co-operation in that scheme.

The regulations on unlicensed fishing for crabs and lobsters that were introduced in 2008 are not there to deny recreational fishermen the enjoyment of catching a few fish, but are aimed at tackling seriously the problem of illegal, unlicensed, commercial fishing of crabs and lobsters. The regulations do that by setting reasonable limits for recreational fishing, above which a person is deemed to be fishing commercially and must obtain a restrictive shellfish licence. We have tried to be fair and reasonable in setting the limits, which are based on similar limits set by the sea

fisheries committees in England and Wales and on those set in the Isle of Man.

The regulations were subject to a full 12-week consultation, which was advertised in all major national and local newspapers and was also published on the Department of Agriculture and Rural Development's website. Consultation papers were issued on request to all interested parties and organisations. The response to the consultation was good, with a wide range of views expressed. After due consideration, the final regulations were drafted, passed successfully through the Committee, and came into operation on 30 May 2008.

To summarise, the regulations placed a pot limit, as Members have said already, for recreational fishing of up to five pots per person, and landing limits of one lobster and five crabs per day. In addition, the location of all pots, both recreational and licensed, must be marked in order to identify the owner of the pots. Last summer, the Department launched a campaign to publicise the new regulations that involved the wide distribution of publicity leaflets, the placing of information posters in public places around the coast, and the giving of advice directly to fishermen.

My Department enforces the regulations in the course of regular coastal patrols by its fishery protection vessel. To date, there have been four specific enforcement actions against suspected illegal potting operations in which unidentified pots have been seized. In such cases, my Department stores the pots and those who have had their pots seized may contact it to explain why they have been fishing with unmarked pots.

Just last month, 17 pots were seized and retained near Dunseverick, and 24 lobsters and 30 brown crabs were released from those pots back into the sea. Included in the seizure was one stock box containing 12 lobsters alone. Last month, 36 pots were also seized around Rathlin Island: 24 lobsters and 74 brown crabs were released. That shows clearly that enforcement activity is targeting people who are fishing illegally in commercial quantities. We are not out to get recreational fishermen; that is definitely not the case. The seizing of illegal pots seems to be an effective sanction, as pots cost in the region of £20 to £30 apiece to replace.

Members have argued that the limit of five pots is too restrictive, but that limit, as I have said already, is in common use elsewhere and has also been shown to be compatible with the landing limits of one lobster and five crabs. It is interesting to note that the 87 pots seized by inspectors since last autumn contained 52 lobsters and 116 crabs. That is an average of over one lobster for every two pots and just over one crab per pot. I think that that supports the limits that we have set.

David Hilditch and other Members have asked why there are no restrictions on the number of pots fished by licensed fishermen. I agree that all crab and lobster need to be fished within sustainable limits. Since 2006, we have been collecting data from commercial fishermen to monitor catch rates and to detect changes in the state of the stocks. Although I believe that the current levels of commercial inshore fishing for lobster and crab are sustainable, we are keeping the situation under review. If additional measures are needed to control fishing effort, we will deal with them in consultation with the industry. Furthermore, if we see that stocks are decreasing or that people are landing fewer lobsters and crabs, we will know that there is a problem and will take whatever action is necessary to ensure the sustainability of stocks.

David Hilditch asked about stock boxes. A stock pot is an essential requirement for people who fish commercially and who set a large number of pots to land a marketable quantity of fresh crab and lobster. It is not essential for a recreational fisherman who sets a maximum of five pots and is limited to landing one lobster a day. That prohibition prevents illegal operators from storing commercial quantities of shellfish at sea and landing them at a time when our inspectors are not about, therefore undermining the landing-limit restriction. I accept that that may be a slight inconvenience for the recreational fisherman, but storage on land is permitted and should be adequate for personal use.

I accept the comments that were made about landing limits and about boats going out once a day. However, the significant environmental benefit of deterring illegal fishing that threatens the sustainability of stocks outweighs any slightly negative effects that may be caused by a few small vessels making short, additional trips inshore. If individuals are given the freedom to lift pots for other people, one may find that some people will try to get around the rules by having pots in the names of four, five or 10 family members and lifting those pots. I accept that it may be an inconvenience, and in a perfect world where everyone worked within the rules, we would not have to do it, but we must achieve sustainability.

We are looking closely at how the regulations work out, and we are not trying to ruin anyone's enjoyment. Although I have not participated in the sport, I understand why people want to do it. We are trying to ensure that people who live close to the coast or who holiday there still have the opportunity to fish, and that stocks are available there for them to do so. We want to ensure that if they set five pots, they will get a return in the evening — something to go along with their chips.

I thank the Members who contributed to the debate. I hope that I have addressed all the issues that were raised and reassured Members that the regulations are

fair and reasonable, and make an important contribution to the conservation of crabs and lobsters. We will continue to monitor fish stocks and fishing effort, and, if necessary, we will take further steps to ensure a sustainable fishery so that generations can enjoy the sport for years to come. Go raibh míle maith agat.

*Adjourned at 7.38 pm.*





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# NORTHERN IRELAND ASSEMBLY

Monday 22 June 2009

*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. Last week, I made a point of order in respect of the time that it takes Ministers to respond to issues to which they are unable to respond in debates. I referred to the Minister for Regional Development's response to an Adjournment debate, because, after one month, he still had not answered points that I and other Members raised during the debate. Have you had time to reflect on Ministers' response times to debates in the Chamber, and are you in a position to make a ruling on that matter?

**Mr Speaker:** When the Member raised that issue, I said that I was grateful to him for doing so. I can say to the House that I have written to the First Minister and deputy First Minister on that issue. As I said previously, if a Minister leads the House to understand that he will reply to a particular Member or return to the House with a reply, I expect him or her to do so. I also indicated in my letter that there should be an appropriate timetable for a Minister to reply to a Member or to come back to the House to reply on a particular subject. I await a reply to that letter.

**Mr Attwood:** Further to that point of order, Mr Speaker. I welcome the apparent tone of the letter that you sent to the First Minister and deputy First Minister. If it is followed through in practice and is precise, this might be a watershed moment when the accountability function of this Chamber is more fully asserted than it has been in the past. Have you indicated to the First Minister and deputy First Minister a timeline for Ministers' responses to points raised in the Chamber?

**Mr Speaker:** In my letter, I suggested at least 10 days for urgent or written questions, and that is what I am expecting. The spirit of Standing Orders indicates that it should be done in and around that time limit. We await a reply to my letter. If that reply is not satisfactory with regard to what we are trying to achieve in holding Ministers to account, I intend to take the matter up directly with the First Minister and the deputy First Minister.

**Mr Attwood:** Further to that point of order, Mr Speaker. I note what you said about 10 days; however, given that a much shorter time frame is required for written questions, rather than giving Ministers the flexibility of having 10 days to reply, they could be given the flexibility of, say, up to 10 days but with the expectation of a much quicker response, especially for urgent matters. Such an approach was shown by the Minister of Enterprise, Trade and Investment last week when she made a commitment to answer certain matters overnight because she felt that they were relevant to the debate. That aside, I await the response from the First Minister and deputy First Minister. Having been trying to make points of order on Ministers' responsibilities to the House for months, I welcome the ruling. It appears that Speaker Hay has at last put a marker in the sand on this issue.

**Mr Speaker:** I have said that Ministers should reply in 10 days or thereabouts, but I hear what the Member is saying. Ministers know their responsibilities to the Assembly, and, if a Minister gives an undertaking to come back to the House on an issue, I expect that he or she should do so sooner rather than later.

## ASSEMBLY BUSINESS

### Suspension of Standing Orders

**Mr Cobain:** I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 22 June 2009.

**Mr Speaker:** Before I put the Question, I remind Members that this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That Standing Orders 10(2) to 10(4) be suspended for 22 June 2009.

**Mr Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

## MINISTERIAL STATEMENT

### Rathlin Island

**Mr Speaker:** I have received notice from the Minister for Regional Development that he wishes to make a statement on the draft Executive policy for Rathlin Island.

**The Minister for Regional Development (Mr Murphy):** Go raibh maith agat, a Cheann Comhairle. My statement marks the development of a dedicated Executive policy for Rathlin Island across government here in the North and follows my written statement to the Assembly on 8 June 2009 and the public consultation on the draft policy that I launched on the island on 10 June 2009. My Department has taken the lead, with contributions from other Departments, local bodies and the islanders themselves.

For those Members who have not yet had the opportunity to visit the island and who may be unaware of its geography and history, I will give a brief verbal tour. Rathlin Island is six miles from Ballycastle and 16 miles west of the Mull of Kintyre and is the North's only inhabited offshore island. About eight miles long and less than one mile wide, the boot-shaped limestone and basalt island is famous not only for its natural beauty but for its wildlife, particularly the large seabird colonies at the west end of the island.

People have lived on Rathlin for over 7,000 years. There are Stone Age axe heads and arrow heads, Bronze Age graves and a magical Iron Age fort where a local chieftain fought foreign marauders to protect the islands. There are standing stones and ancient church sites, as well as Robert the Bruce's castle and cave, the remains of the MacDonnells' tower house and the landlord's manor house. There was a population of around 1,200 before the famine, but the number of people living on Rathlin has fallen, and the island now has a population of approximately 80, many of whose ancestors can be traced back there for hundreds of years.

In November 2007, I brought proposals to the Executive to develop a central government island policy for Rathlin. My Executive colleagues agreed that my Department should take the lead role in that work. The Department for Regional Development has regular involvement with Rathlin through the provision of the lifeline ferry service, which is crucial to the functioning of the island and to the life of the islanders. My Department also provides water and roads services.

To act as a voice for the islanders, the Rathlin Community Association was established in 1978, becoming the Rathlin Development and Community Association in 1986. Its main aims reflect those that we would all expect as citizens, no matter where we live: improving the quality of life for those living on

the island; ensuring that basic services and infrastructure are provided; and encouraging appropriate economic development.

My Department worked very closely with the association and sought to reflect those aims and the islanders' own strategic plan when developing government policy. We have been proactive in our approach. Senior officials in my Department have worked closely with the community association, and, with the support of my Executive colleagues, I have ensured that all relevant Departments and local bodies have identified senior officials to liaise on Rathlin issues. That group has worked collectively to address issues in a co-ordinated manner across government.

I have also met the islanders, and my discussions with them have convinced me of the need for a policy that recognises and addresses their unique circumstances. This policy has been adopted to reflect island circumstances and contains a number of strategic aims that will encourage community involvement, improve the provision of public services, and ensure conservation of the island's exceptional cultural and natural heritage.

However, we are not starting with a clean sheet. My Department has already made progress in improving the provision of public services for the islanders. A new, enhanced ferry service was launched on 1 July 2008, and improved road signage was erected for the ferry in Ballycastle. I have also increased the budget for road improvements from £100,000 to £250,000 over a three-year period. However, perhaps the biggest achievement for the islanders was the completion of the new 10 km sub-sea electricity cable, which runs from Ballycastle to Rathlin. I had the honour of formally switching it on in June last year. The new cable has provided a capacity and quality of supply to island customers that is now equivalent to that which we expect on the mainland.

Further work is ongoing across a range of issues. My ministerial colleague, Michael McGimpsey, visited the island on 22 August 2008 to discuss the islanders' concerns about health cover. He announced his intention to provide 24-hour nursing cover on the island, and in November 2008 a Ballycastle GP treated the islanders on their home turf. Officials from the Housing Executive and the Department of Agriculture and Rural Development have also visited the island to discuss housing and agriculture issues.

The collaborative work between all relevant Departments and local bodies and the Rathlin Development and Community Association has resulted in a draft Rathlin Island policy. The proposed policy is at a relatively high level, but it seeks to acknowledge the aims and objectives of the islanders' plan and to find a balance between their legitimate needs, which are

reasonable and justifiable, and competing priorities. I see the policy as unique to Rathlin, deservedly so.

I acknowledge that there are implications for Departments and others in developing the policy. We must ensure that any general policies that have an impact are adapted to reflect the island's specific circumstances. The needs of the islanders differ from those on the mainland, and so it follows that it may not be easy to apply a mainstream policy to the island or, indeed, appropriate. Departments may, therefore, need to adapt or adjust policies and the use of resources to allow Rathlin equal treatment with other areas.

To implement the policy, we will need to develop an action plan, which will set out in detail how the policy will progress over a two-year term. As I have already said, Rathlin is famous not only for its natural beauty but for its wildlife. Those issues must be considered, along with the welfare of the islanders. We have already commenced a range of relevant impact assessments, which will intensify when the action plan is finalised. In order to monitor progress, I am proposing to establish and chair a forum, which will meet twice a year. It will include island representatives and senior officials from relevant Government Departments and local bodies and will review and refresh the plan to reflect changing circumstances.

Members have already been provided with a copy of the consultation document, and I will keep my ministerial colleagues and the Assembly informed as the policy development progresses. The consultation process has commenced and will conclude on 18 September. I look forward to receiving comments on my proposals. I look forward to working closely with the Rathlin islanders, and to a vibrant and sustainable future for Rathlin.

**Mr Storey:** I welcome the Minister's announcement about Rathlin Island. For some time we have been calling for a co-ordinated approach in the Executive and between Government Departments to ensuring that that most idyllic part of my North Antrim constituency is properly serviced and has access to Government Departments at the highest possible level.

The Minister referred to the new, enhanced ferry service. There are various rumours about that ferry service and what goes on in relation to its running. Now there is a rumour that the new catamaran that was to be in service by the first week in July may not be seaworthy until the middle of July, which would delay the introduction of the service. Given that we want to enhance the transport links between Ballycastle and Rathlin, it is vital that we continue to build a proper ferry service to the island.

*12.15 pm*

The consultation document has only four pages, and, if all Government policy publications had as few

pages, the environmental lobby would be happy. How will Departments allocate funding to the service? Will additional new funding be required?

**The Minister for Regional Development:** I travelled to Rathlin Island, as the Member did, the other week, and I heard nothing but praise for the improvements to the ferry service from the islanders and the people who were travelling. Concerns were raised and allegations were made about the awarding of the contract. My Department investigated those in conjunction with advice from the Comptroller and Auditor General. Some issues arose from that, and the Department dealt with them. The ferry operator and the captain told me that the new catamaran service required some testing to ensure that it is seaworthy. That may lead to its introduction being delayed by a week or two, but I do not think that that is a major cause of concern to the islanders.

From the reports that I have received, the islanders are greatly heartened by the substantially improved service that has been in place over the past year. That will have a significant impact not only on people visiting the island and the resulting economic benefits but on the islanders' ability to commute to the mainland.

It was recognised that, if Rathlin were treated simply as a part of Moyle District Council with a population of 80 people, it would suffer. The unique circumstances on Rathlin led to the Executive's desire for a policy that would ensure that a vibrant community was sustained on Rathlin and that people who continue to live on the island would be supported. That is an important feature of the Executive's policy, so Departments are required to think above and beyond what they would normally allocate to communities on the mainland.

My Department has increased its allocation to the island for roads maintenance, and I expect that, as a result of the policy, other Departments will look at Rathlin in a different light rather than simply allocating on the basis of population or other measures that Departments normally use when allocating resources. The Member will be aware that the Minister of Health, Social Services and Public Safety visited Rathlin and that he wishes to enhance the level of health cover to encourage people to remain on the island.

It is important to encourage families to stay on the island and to raise children there. The services that people on the mainland take for granted such as health cover and electricity supply must be given additional support to ensure that they are available for the islanders. I expect that, as a result of the policy and the action plan, all Departments will consider making allocations above and beyond normal. The Executive have expressed a desire to sustain a community on the island, and that requires Ministers to take additional action.

**The Chairperson of the Committee for Regional Development (Mr Cobain):** I thank the Minister for his statement and for his interesting history lesson.

Mr Storey asked about the financial implications of the action plan. I am not sure what a two-year action plan can achieve for the long-term sustainability of Rathlin Island. The most important element of the statement is the proposal to establish a forum that will include representatives from Departments other than the Department for Regional Development. The action plan can work only with the co-operation of several Departments. Are all the Departments that will need to be involved totally committed to the policy?

**The Minister for Regional Development:** This is an Executive policy document that has gone to consultation. It has the approval of the Ministers on the Executive, and I expect that to be reflected by all Departments called upon to input into it. The policy document has been through the Executive; it was issued for consultation and has received full Executive support. I expect, given the nature of our discussions, that, when the consultation ends and we put forward a finalised policy document, the Executive will support it. If a Minister supports it, one expects his or her Department to act on any request that is made in relation to it.

As to the two-year time frame, a number of things must happen. There are pressing concerns with respect to housing, education, agriculture and health provision on the island. Two years is a short time, but, if the Chairperson of the Committee considers what has happened on the island since my first visit two years ago, he will understand that the atmosphere there is completely different. There is optimism about the future. Residents have gained an improved ferry service and an electricity connection, and a community facility has opened on the island. All those things happened over the last two years. If we can make progress on other pressing matters, the forum can develop a longer-term view of what is required for sustainable tourism, the environment and the protection of the island's heritage through long-term plans. The pressing need is to sustain the population: if it drops below a certain level, it will no longer be sustainable. The islanders want that issue addressed in the first instance. We have achieved much in the past two years, and I look forward to achieving much more in the next two.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I welcome the statement and the Minister's focus on Rathlin Island and its inhabitants since taking up office. I recognise the proposed forum as one that puts the islanders at the heart of that policy. As the policy progresses over the next two years, can lessons be learnt from other island communities off the Irish mainland?



**The Minister for Regional Development:**

Government have operated policies for a number of years in relation to islands that lie off the rest of the coast of Ireland. The islanders were keen to examine the experience of Inisheer, one of the Aran Islands, which is of a similar size and population to Rathlin. We have plans to take some of the islanders there and to discuss the operation of an island policy with the Minister responsible, Éamon Ó Cuív. Lessons can be learnt from elsewhere, and the islanders are aware of issues that affect other islands around the coast of Ireland. Where we can draw on those lessons, we are happy to do so.

**Mr O'Loan:** I welcome the statement, the consultation document and, in particular, its emphasis on the sustainability of the island. Sustainability makes us consider issues such as the physical environment, the wildlife and, above all, the people of the island. We must think about health, education, transport and the economy of the island. What promise does the Minister see the eventual action plan making towards a stable and, I hope, increasing population on the island? That is the key to the sustainability of the island.

**The Minister for Regional Development:** As I said in answer to previous questions, from my discussions with people on the island I have gathered that the key factor is to ensure that families stay and that children are born on the island.

Things that we take for granted — a regular electricity supply, a decent connection to the mainland through the ferry service, health cover, educational and community facilities — are all crucial to islanders and perhaps those who want to live on the island in making the choice to stay there. They are all taken for granted on the mainland, but they have a crucial significance for the island. Much of the focus on what needs to be done and what has been done over the last two years is about meeting those immediate needs. That will encourage people to stay and to come and live on the island. Getting the population up to a sustainable level is our immediate focus; then we can develop long-term plans.

There are opportunities. The electricity connection has provided opportunities for economic development on the island. The islanders can develop their own plans and sell electricity back to the grid through natural energy projects.

When I first visited the island, people were thinking about survival; they now think about the long term and consider ideas that will develop and enhance life on the island. It has become a better place in two years. The plans that we have put forward and the implementation of the action plan that will come out of them will continue to improve that prospect.

**Mr McCarthy:** I, too, welcome the Minister's statement. I also welcome the fact that Government

have adopted a joined-up approach and that they are working in partnership with the Rathlin Development and Community Association to help people.

When free ferry transport was introduced from Strangford to Portaferry, which is at the tip of the Ards Peninsula, some people were concerned about the fact that not everyone would be able to benefit from it: thankfully, that issue was overcome. Will the Minister tell the House whether free ferry transport will be available not only to senior citizens who live on Rathlin Island but to visitors and tourists who use the ferry?

**The Minister for Regional Development:** Obviously, the Member is considering a visit to Rathlin Island.

**Mr McCarthy:** Absolutely.

**The Minister for Regional Development:** The Department contracts a private operator to provide the ferry service, for which islanders pay a certain rate. I am conscious of the point of order that was raised earlier about the length of time that it takes Ministers to reply to questions; therefore, I will endeavour to find out whether the policies for transport subsidies for pensioners and people aged 60 and over apply to that ferry service. The rate that islanders pay is an improvement on that which tourists pay to travel to and from the island.

**Mr Paisley Jnr:** Like others Members, I welcome the Minister's statement. From listening to his potted history of the island from the Bruce to the boat, it is clear that he is enchanted by Rathlin, and we welcome that interest.

I seek clarification and expansion of a point that the Minister made in his statement. He indicated that all the relevant Departments and local bodies have identified senior officials who will liaise on Rathlin issues, and that is welcome. Does the Minister agree that the islanders need a lead departmental official to be a champion or tsar for Rathlin Island, to take matters forward and to be a point of contact for them?

The Minister said:

"Departments may therefore need to adapt or adjust policies and the use of resources to allow Rathlin equal treatment with other areas."

Will the Minister indicate how likely that is and how extensive it would be? He must address the baggage in that sentence if he is to take forward the policy in that way. I look forward to hearing about the forum, and I hope that the Minister has an interesting and valuable time chairing it.

**The Minister for Regional Development:** The Member is correct: I have become enamoured with the island. Sometimes, I think that Rathlin is the only place in which I am still popular. Each time I go there, more officials accompany me; so, I think that my mood has permeated the Department. I do not think

that we will have any difficulty in identifying people in my Department who have a close working relationship with people on Rathlin and who will champion those issues.

I was not being vague when I said that Departments might have to go above and beyond what they are already doing. The Executive want to ensure that the island and its community are sustained. Given the Executive's approval of that policy, I hope that, if a service is not up to scratch, people will go above and beyond that which is required of them. Without being too prescriptive, the forum will identify services that are not providing as much as they could for the islanders, and we will seek to improve those services. Over the past two years, Departments have been proactive in their approach to the island. Thus far, they have recognised the unique circumstances on the island and the Executive's desire to ensure that the island's community is sustained, and they have been willing to take actions above and beyond those that are applied to the mainland in order to achieve that.

We have not encountered any resistance to date. If the implementation plan and the forum that oversees its roll-out encounters problems, I am sure that Ministers will discuss that at the Executive table to ensure that departmental officials' actions reflect their decisions.

12.30 pm

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement.

Last year, the RSPB invited me to visit the island because it is concerned about the protection of habitats. One strategic objective is to draw up a local biodiversity action plan. Who will be consulted and have an opportunity to partake in that action plan?

**The Minister for Regional Development:** The island is the subject of environmental interests. Through the RSPB site, the seabird colonies are of obvious value not only to the island but to western Europe generally. Moreover, the National Trust owns some land there and has been developing environmental policies. The forum that we propose to establish will be a useful vehicle to ensure that all interested parties, such as the islanders, other agencies that work on the island and the Departments, have an opportunity to discuss all those issues. Furthermore, the forum will facilitate a joined-up approach, provide an opportunity to discuss any issues of tension between people who wish to sustain a livelihood on the island and those who wish to protect the environment and heritage of the island, and achieve the correct balance for the future.

**Mr Dallat:** I thank the Minister for the statement. The Minister mentioned a proposed visit to Inisheer, which is part of the wonderful Aran Islands off the coast of Galway. I presume that that visit will include

trips to Inishmore and Inishmaan, where J M Synge was inspired to write 'The Playboy of the Western World'.

Does the Minister agree that there is real merit in an arrangement through which all 18 occupied islands have a formal structure that enables them to develop tourism and, in as far as possible, become self-sustainable in the interests of tourism in Ireland as a whole?

**The Minister for Regional Development:** Inisheer was picked because of the similarity in population size, whereas Inishmore is a much bigger island that has a significantly larger population and tourism footfall than Rathlin. However, the islanders, the relevant Minister in the South, Éamon Ó Cuív, and I are keen to develop, improve and enhance the links between the Departments' policies for the islands. There is great potential in ensuring that all islands around our coast work together to obtain a better understanding of the issues that face them and to ensure that Departments respond properly to those issues.

## EXECUTIVE COMMITTEE BUSINESS

### Employment Bill

#### First Stage

**The Minister for Employment and Learning (Sir Reg Empey):** I beg to introduce the Employment Bill [NIA 9/08], which is a Bill to make provision about the enforcement of legislation relating to employment agencies and the minimum wage; to make provision about the membership of, and representation before, the Industrial Court; and for connected purposes.

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

**Mr Speaker:** The Bill will now be printed and put on the list of future business until a date for its Second Stage is determined.

### Local Government (Miscellaneous Provisions) Bill

#### First Stage

**The Minister of the Environment (Mr S Wilson):** I beg to introduce the Local Government (Miscellaneous Provisions) Bill [NIA 10/08], which is a Bill to make provision about the powers of district councils to enter into contracts and to acquire land otherwise than by agreement; to make provision in connection with the reorganisation of local government, including provision for controls on existing councils, for statutory transition committees and for the payment of severance allowances to councillors; and for connected purposes.

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

**Mr Speaker:** The Bill will now be printed and put on the list of future business until a date for its Second Stage is determined.

## Diseases of Animals Bill

### Consideration Stage

**The Minister of Agriculture and Rural Development (Ms Gildernew):** I regret that the Consideration Stage of the Diseases of Animals Bill will not be moved today. I am engaged in discussions with the Agriculture and Rural Development Committee and industry representatives on an amendment to clause 8 of the Bill. The amendment that I am proposing will establish a link between serious breaches of statutory biosecurity guidance and the withholding of compensation for the slaughter of animals. The Committee requires further time to consider the amendment and to consult interested parties. It is entirely appropriate that the Committee should be given time to do that and to reach a decision. I hope to be in a position to take forward the Bill's Consideration Stage after the summer recess. Go raibh míle maith agat, a Cheann Comhairle.

## COMMITTEE BUSINESS

### Statutory Committee Membership

**Mr Speaker:** As with similar motions, the motion on Statutory Committee membership will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

That Mr Danny Kinahan replace Mr John McCallister as a member of the Committee for Regional Development; that Mr Danny Kinahan replace Mr David McClarty as a member of the Committee for the Environment; and that Mr John McCallister replace Mr Tom Elliott as a member of the Committee for Education. — *[Mr Cobain.]*

## COMMITTEE BUSINESS

### Inquiry into the Way Forward for Apprenticeships

**Mr Speaker:** The Business Committee has allocated up to one hour and 30 minutes for the debate. In accordance with the Business Committee's agreement to allocate additional time to Committee Chairpersons when moving and making a winding-up speech on a motion on a Committee report, the proposer of the motion will have up to 15 minutes to propose and 15 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**The Chairperson of the Committee for Employment and Learning (Ms S Ramsey):** I beg to move

That this Assembly approves the report of the Committee for Employment and Learning on its Inquiry into the Way Forward for Apprenticeships; and calls on the Minister for Employment and Learning, in conjunction with Executive colleagues, to implement, as a matter of urgency, the recommendations contained therein.

Go raibh maith agat, a Cheann Comhairle. Once again, I am delighted to present a report by the Employment and Learning Committee for debate in the Assembly. The Committee regards the report as extremely timely and very significant. It would be difficult to miss the fact that we are in a severe economic downturn. We are in the middle of a recession, with a number of painful consequences, including increasing unemployment and redundancies; low interest rates for savers; reduced availability of credit; home repossessions; and a host of other issues. It is important that businesses continue to invest in skills at this time. Since the beginning of the economic downturn, the number of apprentices being made redundant has grown each month, and the Committee is increasingly worried about that situation.

Unfortunately, at a time like this, many employers view investment in skills development as a luxury that they cannot afford. It is vital that we think further into the future and plan ahead for the global economy that will exist on the other side of the recession. The Committee sees the evolution of the current apprenticeships programme, ApprenticeshipsNI, as central to the development of our workforce and, as a consequence, our economy.

I wish to thank those who were involved in bringing the Committee's report to the Assembly today. I thank the witnesses, from a range of sectors, who presented extensive oral evidence to the Committee. They provided valuable insights into the current apprenticeships programme and their vision for its development into the kind of system that our economy needs. The Committee is grateful to those stakeholders for their contribution to the inquiry; they should be assured that the report is the start of an ongoing process. The

Committee intends to partner the Minister and his Department, along with the stakeholders, to make our apprenticeships world-class.

I particularly thank the departmental officials who gave so freely of their time and expertise to the Committee, and I look forward to continuing to work with them to move apprenticeships forward. I also thank the staff of Hansard and the Assembly's Research and Library Services for the role that they played in the completion of the report. Last, but not least, I thank the Committee staff for all their hard work during the Committee's inquiry.

Although the Committee's report makes a number of recommendations to the Minister and his Department, the members of the Committee believe that the other key function of the debate is to put the spotlight firmly on apprenticeships. We have all heard of apprenticeships, but do we really know what they are and how they work? The Committee's inquiry has highlighted the fact that employers, potential apprentices and the public at large share many misapprehensions and misperceptions about apprenticeships.

At its meeting on 19 November 2008, the Committee agreed to investigate how apprenticeship programmes need to evolve so that they can be more responsive to the skills requirements of the modern global economy. The Committee asked three fundamental questions in order to ascertain the way forward for apprenticeships. First, why do employers not take up apprenticeships in greater numbers? Secondly, why do apprenticeships lack status and profile? Finally, how can apprenticeships be better protected in the economic downturn?

A key issue for the inquiry to consider was the Minister's statement of Tuesday 11 November 2008. That statement concerned contingencies that would help apprentices who have been made redundant because of the recession. It is important to examine how the current apprenticeship system might evolve so that it can be more robust in the face of an economic downturn or recession and be more responsive to the global economy's fast-changing requirements for particular skills and skills pools. That approach would seek to take the position of apprentices to a new level that is beyond those contingencies. New contracts for Apprenticeships NI will be awarded in 2010, and in my view, that presents the ideal time in which to allow the Committee to partner the Department in shaping and informing the process.

In May 2009, the Minister announced further contingencies for apprentices, focusing particularly on those who are on short-time working in the manufacturing and engineering sectors. In his response, the Minister may wish to elaborate on the Skillsafe scheme. That scheme was announced on the same day that the Minister of Enterprise, Trade and Investment announced the



short-term aid scheme for companies. Again, I believe that it is good to see such an example of joined-up Government, and the Committee commends both Ministers for that.

In September 2008, the Minister launched the all-age apprenticeships that the Committee advocated. Those will be a tremendous boost for our more mature students who want to learn new skills and to improve their employability. The Committee also commends the Minister for that.

In undertaking the inquiry, the Committee wanted to get to grips with the reason why so many employers, especially our small and medium-sized enterprises (SMEs), which, as we are all aware, form the majority of our private sector, do not take on more apprentices. It was clear from the evidence that the Committee heard that all the stakeholders support apprenticeships and want them to succeed. All the stakeholders acknowledged that apprenticeships have an important role in providing a broad range of the technical, professional and employability skills that employers need.

There was a significant degree of agreement on the factors that are holding back employers and individuals taking up apprenticeships. Those factors are: expense; bureaucracy and excessive administration; perceived flaws in the funding mechanism; the duplication of inspection; problems with essential skills provision; a one-size-fits-all approach; and apprentices' travel costs and wage levels.

One particularly worrying factor that is holding back the evolution of apprenticeships is that they do not enjoy a high degree of status and are often seen as a second-choice career pathway when compared with the university route. That has often resulted in a failure to recruit the highest-calibre candidates to apprenticeships.

In its report, the Committee made recommendations for better marketing for and recruitment to apprenticeships, better ways of funding and providing more structured incentivisation, and alternatives to the existing forms of the administration and inspection of apprenticeships.

The Committee considered evidence on a variety of innovations that could provide useful ways forward for apprenticeships. Those included establishing centres of excellence; implementing areas of expansion, such as non-traditional, public-sector and technician apprenticeships; including quotas of apprentices in the workforce of employers as a prerequisite to their being awarded public-procurement contracts; making apprenticeships a clearly signposted and open-ended career pathway; shortening apprenticeships and the creation of fast-tracking where appropriate; broadening participation and widening access, with particular reference to all-age apprenticeships and the participation of existing and part-time staff in upskilling and re-skilling;

and highlighting the benefits, particularly for SMEs, of group training associations and apprenticeship training agencies. The Committee examined those ideas in the context of considering whether they would encourage greater SME participation in apprenticeships.

The Committee believes that particular attention must be paid to apprenticeship schemes in the construction industry. The Committee suggests that that sector would benefit greatly from the application of group training associations (GTAs) and a centre of excellence to provide greater consistency in training across the industry.

*12.45 pm*

The Committee examined the structure and position of the pre-apprenticeship programme and how it might be used to provide a safe haven in times of economic turbulence for apprentices who have been made redundant. It has become increasingly difficult to recruit enough apprentices in the key sectors of science, technology, engineering and mathematics (STEM). STEM subjects have seen a decline in uptake, from school students through to those in further and higher education colleges. However, it is the STEM sectors that drive the economy and which require the highest number of new and replacement staff to drive forward workforce and economic development.

Through its activities regarding STEM subjects, the Committee is aware that the number of entrants to the engineering sector needs to treble in the next few years to replace those who leave the industry or who are retiring, as well as to allow for expansion into new technologies. We need joined-up government to put in place strategies to allow us to meet future economic challenges. Education, training and the development of employability skills must be seamless from preschool through primary and secondary school, and beyond. Apprenticeships are a big part of making that happen.

A significant part of formulating the way forward for apprenticeships involved the Committee considering the respective roles of colleges, employers and employer groups. Evidence presented suggests that the future of apprenticeships lies in the hands of employers and employer groups. They should be the drivers of how apprenticeships should evolve. That approach should allow the disincentives for employers who take on apprentices to be addressed. In that way, too, the poor image of apprenticeships should be improved, because it will be in the direct interest of employers and employer groups to encourage the best candidates to enter apprenticeships.

Greater responsibility in directing the apprenticeships programme might also encourage employers to see apprenticeships less as a boom-time luxury and more as an ongoing investment. The colleges have shown that they can provide training solutions in response to

the needs of various sectors and individual employers. The Committee sees the colleges continuing to provide directed training and certification — roles at which they excel.

We are part of the global economy. We must catch up with and overtake our competitors by investing in and developing our workforce. We need not only to give people new skills but to build on their existing skills. The size and nature of our economy means that we should be aiming to create a highly skilled but flexible workforce that can respond easily to the needs of the global economy. The Committee is working hard with the Minister for Employment and Learning and his Department to put in place the appropriate infrastructure to achieve that.

Our best asset is our people. On that basis, the Committee urges educators, employers and Government to work together to ensure that we develop our people's skills and, as a consequence, our economic potential. Prosperity for our people is the surest way to secure our future. The Committee offers its recommendations from the inquiry to the Minister and his Department for their consideration. The Committee wants to continue the positive engagement and partnership that it has developed with the Minister and his Department over the past two years. Through discussion and agreement on this and other areas, we will, together, lay the foundations of our prosperity.

I commend the Committee's report on its 'Inquiry into the Way Forward for Apprenticeships' to the Assembly for its approval. Go raibh mile maith agat.

**Mr Hilditch:** I welcome the opportunity to speak in the debate and to thank everyone who was involved in producing the report, from Committee staff to officials, to those who gave evidence, from employers down to apprentices.

I must declare an interest: I have a son who has just finished the second year of his apprenticeship in plumbing. Already, he has moved to his fourth employer, having been made redundant on three occasions. If his current placement does not work out, he will have wasted three years of his life. He and his friends feel that they can take no more risks, and they have been exhausting every employment avenue. I am in contact with him almost daily as he and his friends are out on the streets trying to find employers.

I know that if I were in his position, I would have walked away a long time ago to try to find other employment. Indeed, some kids have not been as strong and have walked away. They could earn more money on night shifts stacking supermarket shelves than they could on a building site. I am thankful that my son's enthusiasm and drive is such that he virtually goes to strangers' doors begging to be given a chance.

It is not easy for teenagers to do that, and, thankfully, he started employment again last week.

I thank the Minister for coming along today. The Committee has placed apprenticeships very highly on its agenda, and I am aware that the Department is also keen to resolve matters. The Minister will have an opportunity to outline the help that is available to the hundreds of apprentices who are unemployed. He can tell us about the Department's efforts to ensure that apprentices are provided with the support, confidence and financial assistance that they so desperately need to enable them to finish their training and to prevent two or three years from being wasted.

The Department for Employment and Learning (DEL) has undoubtedly made a great deal of progress. It is to be commended for the Training for Success programme and the launch of Apprenticeships Northern Ireland. The Department should also be congratulated for reaching its target of having 10,000 persons in apprenticeship training one year early. However, the issues are a long way from being resolved completely. The construction, engineering and motor vehicle sectors have the most significant numbers of apprenticeship redundancies. It is understandable that the economic downturn has played a role in that decline; however, we must be ready for the upturn.

In previous discussions, we highlighted the need to attract investors to Northern Ireland. Therefore, we need to be ready to fill the vacancies on science, technology, education and mathematics courses, because those are the subjects that will drive the economy forward. Over the next six years, 1,353 recruits will be needed across all occupational areas just to replace the employees who are due to retire. An increase in the students who study STEM subjects will increase the number of STEM apprenticeships that are available, and that will help to lift recruitment levels. More professional and technical modules need to be offered as part of GCSE courses, and more publicity should be given to the wide range of STEM-related subjects that schools and colleges offer.

Some issues prevent employers and individuals from becoming involved in apprenticeship training. Many small and medium-sized enterprises do not offer apprenticeships. During an economic downturn, small businesses and individuals need to be given confidence in training programmes to ensure that they continue to invest their time and money. The reasons for some employers' reluctance to hire apprentices include direct cost, excessive administration, travel and wage costs and duplication of audits and inspections.

The Minister, his Department and the other relevant Departments need to raise the profile of apprenticeships. It is apparent that their titles do not hold great status,

and they are seen as a second-choice career path compared with the university route. However, many apprentices have reached management level in companies such as Bombardier Shorts, NIE and Phoenix Gas. Some students and companies are not aware of that fact. It is imperative that the success of previous apprentices is highlighted and used in future advertising campaigns to emphasise how apprenticeships can lead to rewarding careers.

The education sector has a role to play, and it must ensure that vocational and academic qualifications are viewed as being equally important. Vocational subjects must be made more appealing to students who are at GCSE level and beyond.

I am hopeful that the report's recommendations will form the basis of a consensus between the Committee, the Minister and the Department.

**Mr Speaker:** I ask the Member to bring his remarks to a close.

**Mr Hilditch:** Apprenticeships are undoubtedly the most appropriate way of developing a highly skilled, motivated and committed workforce for the Northern Ireland economy. I commend the report.

**Mr McClarty:** I support the motion, and I welcome the Committee's broad support for the action that the Minister has taken on apprentices. His approach is clearly working, and the Department's 2010 target of having 10,000 persons in apprenticeship training was met in February. That represents a 77% increase in two years.

New Labour's recession, however, has presented us with very challenging difficulties. Unfortunately, apprenticeship training has suffered as firms begin to tighten their purse strings. The intervention measures that the Minister introduced last year to allow apprentices who have been laid off as a result of the recession can be credited with the progress that they have made.

I thank the members of the Committee for Employment and Learning for the hard work that went into the report. I am confident that it will help the Minister and that he will give it due regard in the development of future policies. In reacting to any economic crisis and facilitating any economic opportunities, Government responses and businesses need to be flexible in their approach. I am, therefore, encouraged by the recommendations to make Apprenticeships NI for 2010 more employer-focused by giving employers and employer bodies more responsibility for the recruitment and running of apprenticeships, thereby encouraging the involvement of small and medium-sized enterprises. Encouraging more businesses to take part in apprenticeship schemes is crucial for their sustainability and for our economic recovery. Apprenticeships must be directed towards need.

I also welcome recommendations for the Department to engage with schools and employers to boost the status and perception of, and recruitment to, apprenticeships. We need to foster a more holistic approach to our economy and to the vital role that all sectors play. With that in mind, the employment of former apprentices who have reached management level in successful companies such as Bombardier and Northern Ireland Electricity is an excellent idea and illustrates apprenticeships as being an open-ended career pathway.

There are a number of encouraging figures in the report. It points out that 30% of staff in management grades at Bombardier started their careers as apprentices. That figure shows the value of apprenticeships to the company and to the apprentice. The development of an apprentice is a long-term investment by both parties, which has proven to reap long-term rewards.

The report makes a positive contribution to the approach of the Minister and the Executive to tackling the economic crisis and to the sustainability of our apprenticeship schemes. However, we must recognise that the Minister has taken decisive action and has been praised for his contingency arrangements for apprenticeships in Scotland and elsewhere. The ability to react to events will mean that the report will not be a wasted effort. I support the motion.

**Mr Attwood:** The substance of my comments will concentrate on recommendations 2, 6, 7 and 14 of the report. First, however, I want the Minister to confirm one thing. Mr Hilditch and Mr McClarty said that the target for the creation of 10,000 apprenticeships had been reached. Is it not more accurate to say that the target for the creation of 10,000 apprenticeships for people who are aged between 16 and 25, which was a target under the investment strategy, has been met only because of the welcome extension of apprenticeships to people who are aged 25 and above? It is my understanding that at least 3,000 of the 10,000 apprentices are in the latter category. Therefore, what Mr Hilditch and Mr McClarty said in that regard is not fully accurate.

Furthermore, will the Minister and his Department handle the issue of the minimum wage for apprenticeships correctly on this occasion? The Minister will be aware that in May 2008, the Committee's Training for Success report stated that a minimum rate of pay for apprenticeships should be introduced via contracting arrangements. The Minister will also be aware that, for some reason, his Department took that recommendation and said that the Low Pay Commission (LPC) had an issue with the review of remuneration for apprenticeships, and the Department would wish to consider the pay of Northern Ireland apprenticeships in the context of that report. However, that is not what the Committee recommended. It recommended that the Department, through its contracting arrangements,



introduce a minimum rate of pay. It did not recommend that the Department should wait for the Low Pay Commission but, rather, that the Department should take action on it.

That argument was proven when, in a subsequent letter to the Committee dated 16 June, the Department confirmed that the LPC review had not considered that matter and would do so in a future report. The letter further stated that that would not happen until the end of next year and, in the meantime, departmental officials would examine the issue to determine whether it could be addressed.

*1.00 pm*

I want an assurance that, this time, we will not have to wait for a year before hearing from the Department whether a minimum wage will be introduced into the contracting arrangements for apprenticeships. Given that we pay for apprenticeships, we should lay down requirements for minimum standards of pay.

Will the Minister urgently consider introducing legislation to enable apprenticeships to become part of public contracts? That should be done as part of a response to the recession and as part of a long-term strategy of embedding apprenticeships in the culture and work practices of Northern Ireland, which all Members want to happen. When the British Government announced their response to the recession recently, and I say this somewhat cautiously, they said that they would incorporate 1,000 apprenticeships into public contracts. Given that a much greater proportion of public funds in the North is spent on public contracts, can the Assembly not set a target of incorporating between, say, 200 and 400 apprenticeships over a certain number of years into public contracts for public projects? The Government in London have set that target, for which they presumably have legislative cover. Why, therefore, has a target not been set in the North?

I urge the Minister to deal with the issue of apprenticeships in the Health Service. Some 50% of the Assembly's Budget is spent on health provision. Unless the issue of high salaries for a high number of people in high places in the Health Service is addressed, public funds cannot be reconfigured to sustain recovery and develop good practice. That should form part of the long-term recovery of this part of the world and elsewhere. When reconfiguring the senior profile of the Health Service, including the number of senior officials and their salaries, an element of that should involve the movement of money from the top end to fund apprenticeships on the front line of health provision.

I urge the Minister to extend Skillsafe, which is a welcome initiative, to many other sectors of the economy in the long term. Last year, the Committee had to wait for nine months for the Department's response to its report on Training for Success. I ask the Minister to

ensure that that does not happen with the Committee's latest report.

**Ms Lo:** I support the motion, and I join other Members in thanking all the stakeholders and staff who took part in the inquiry.

I wish to highlight one of the report's key recommendations, which is the need to boost the status and perception of, as well as recruitment to, apprenticeships. I was speaking to the mother of a boy in fifth form at a grammar school. She was upset because her son wanted to embark on an apprenticeship to become an electrician, and she felt that that would be a waste of his talents. Apprenticeships do not enjoy a high status and are often regarded as a second-choice career pathway compared with the university route.

That perception has hampered the recruitment of the highest calibre of candidate to apprenticeships, as borne out by a recent survey of apprenticeships in Northern Ireland by the Education and Training Inspectorate. It showed that the level of recruitment in priority skill areas, such as computing, information and communication technology (ICT) and software engineering, is still lower than required. The survey also found that the majority of apprentices hold less than five GCSEs above grade C and, on entering the programmes, a significant minority has insufficient literacy or numeracy skills. The general public's perception of apprenticeships is that they are schemes that are somehow old-fashioned and best suited to those who are less academic and who would not be able to gain entry to university.

People believe that apprenticeships are limited to trades such as plumbing, construction or electrical work, which involve heavy work in dirty environments. The fact is that modern technology has replaced a lot of the manual work. For example, in the field of vehicle engineering, automotive apprentices must be highly computer competent in order to operate the diagnostic tools that are used in modern engineering. There is a clear and general lack of awareness of what a modern apprenticeship is and how it can be as open-ended a career path as going to university to gain professional qualifications.

A modern apprenticeship offers young people a rewarding career that leads to senior management positions or the chance of becoming entrepreneurs who run their own businesses. I do not doubt that the young man whom I mentioned will become an electrician, run his own company and probably do better than his young brothers and sisters.

In Germany and Japan, craftsmen, scientists and engineers have equal status with professionals. For example, when we visited the NIE apprentice-training site, we talked to young people who were extremely proud of gaining their trade in a specialised profession.



At the end of their apprenticeships, they are highly likely to get a good job and go on to a long-term career.

We push 50% of school-leavers into universities every year. Many end up with £12,000 or more of debt and degrees that do not qualify them for any jobs. We must rethink that approach. Must we push all of those people into universities? Is it not better that they gain a trade and vocational qualifications that provide them with a long-term career path? Therefore, the Department for Employment and Learning (DEL) and the Department of Education must better promote apprenticeships and improve their image as a primary, first-choice career pathway to attract bright and motivated young people to embark on careers that are needed to rebuild our economy.

**Some Members:** Hear, hear.

**Mr Irwin:** I welcome the opportunity to contribute to the debate, and I join my Committee colleagues in welcoming the completion of the inquiry and the publication of the report on the Committee's inquiry into the way forward for apprenticeships.

That inquiry focused on two key questions relating to why more employers do not provide apprenticeships and why apprentices lack the profile and status that they deserve. The report confirms that improving the prospects for apprenticeships directly relates to addressing those two areas. I welcome the insight and recommendations provided by the report.

The statistic that more than 1,500 apprentices have been made redundant since September last year is worrying. It is easy to brush over the figure and to blame the recession, without fully appreciating the real cost to the apprentice. However, it must be remembered that the young people involved have lost not only their jobs, but a valuable training platform. This devolved institution cannot allow the continuation of a situation in which apprentices are seen simply as casualties of the recession.

Apprentices in every trade are vital to the economy and should remain so in times of hardship and of booms. The report points out how important it is for employers to realise that investing in skills in times such as these ensures that, when growth gathers pace, we will have made an investment in the skills that will maintain the economy's forward push.

With that in mind, the employers and the Department, through ApprenticeshipsNI, face an important and difficult task. First, from the employers' perspective, a strong commitment to invest in apprentices is required. Secondly, from the Department's perspective, the apprenticeship scheme must be made less bureaucratic and more employer led.

Work must start now to address the shortfalls in the present system. Improvements that are made now, in

the midst of a difficult economic time, will pay off in the long term as our economy becomes more stable.

Making young students more aware of the opportunities that are available to them as an alternative to university must be a priority, and I welcome the fact that the report highlights the need to concentrate on publicising the efforts of apprentices who have been highly successful in order to adequately show just how important apprenticeships are to our economy. The Department must take the lead on that matter and ensure that information is made easily available through the media, so that young people are well informed about career choices.

As has been said, in top companies throughout the Province, many senior managers began their careers as apprentices, and I wholeheartedly agree that apprenticeships are a great foundation to climbing the career ladder in the enterprise sector.

I support the motion, and I hope that the Minister takes on board the many recommendations in the report to help to renew interest in apprenticeships and to ensure that Northern Ireland remains competitive in the marketplace long into the future.

**Mr Butler:** Go raibh maith agat, a Cheann Comhairle. Tá an-áthas orm cead a bheith agam labhairt sa díospóireacht seo inniu.

I glad to have an opportunity to speak on the motion on the Committee for Employment and Learning's report. Talking about apprenticeships and training is always difficult. Most importantly, an ethos must be developed whereby, rather than just getting training in further education colleges, young people believe that apprenticeships will result in employment.

The Committee's report outlines a number of concerns, and many stakeholders accept that the Minister has brought forward initiatives to address them, such as the Skillsafe programme, from which I hope something comes. Other initiatives, such as the contingency programme of foster companies, have not been successful, although I believe that that programme was not brought forward by the Minister.

There is a perception among many stakeholders that, in the next couple of years, when, I hope, we come out of the present economic downturn, there will be a skills shortage. I appreciate that, in the past, it has been difficult to predict the number of apprenticeships that are required. For example, many young people were encouraged to take up apprenticeships in the construction industry, but, as the Minister said, presently, there is probably not a single job being advertised for that industry. That sector has been badly hit during the economic downturn. When we come out of the recession, we do not want a situation in which there is a lack of skilled bricklayers, plumbers, plasterers etc.

There is also a perception, which several Members highlighted, that apprenticeships are not valued as a career path. Over the years, even a vocational career has been considered to be lesser than following an academic career path at university. Unfortunately, that is a result of the emphasis that is placed by the school system here on gaining academic qualifications, including the 11-plus transfer test. That emphasis means that young people here tend to follow careers in academic subjects, and they feel that apprenticeships do not have the same status. However, as the report points out, in other countries, apprenticeships enjoy equal status to other careers.

I appreciate that the Minister has an initiative to increase the number of apprentices by 2010; however, there are concerns.

For example, members received a letter from the Electrical Contractors' Association in which it expressed its concern that apprenticeships are training-led rather than employer-led, and it highlighted the need for an employer ethos. The association is concerned about the lack of partnership among further education colleges, the Department and the business sector to ensure that the outcome of apprenticeships is that people get jobs. In the past, there was debate about people going through college, taking up apprenticeships, being placed with employers but not getting jobs. They were used as cheap labour. They may have gained a qualification, but there was no job for them.

1.15 pm

The report outlines a number of areas that the Committee feels are of concern, such as the minimum wage. There is also a debate about the number of people who graduate from university and where they will find jobs. Therefore, we need to put an emphasis on getting more people into further education colleges and on working with the business sector. The Committee spoke to representatives from the engineering, retail and motor-vehicle sectors, and from the construction industry, about the development of a partnership among the Committee, the Minister and businesses so that, when we come out of the recession, our young people are trained and skilled.

**Rev Dr Robert Coulter:** I join my colleagues in supporting the presentation of the report and congratulate the Chairperson of the Committee for bringing it to the House today. I joined the Committee recently, and I have been greatly impressed by the work of the Minister, the Department and the stakeholders, and by the enthusiasm with which the Committee took on the challenge in a difficult economic situation. I pay tribute to all of them, and to the Committee staff, for the work in which they have been engaged in producing the report.

The House should take the report very seriously. From my experience of years of working with the further education sector, I know how hard it is to organise apprenticeship training because of the many problems and difficulties that are associated with it.

I was impressed when Sir Reg told the House in some detail, on 23 February 2009, what had happened to the 303 apprentices who have, so far, been made redundant. The Minister told us that 157 had been referred to the Careers Service for advice and further training; 51 were continuing their training under Training for Success, which may mean that they are working in a simulated work environment in a college or are fostered by another firm; 26 were continuing their training under Steps to Work, which means that they have placements with employers for one day a week and attend college for four days a week; 43 had found alternative employment, including continued apprenticeship training or a return to their previous employer; 16 had entered further education; and the remaining 10 apprentices had not maintained contact with the training supplier.

That answer bears out the proactivity of the Department and the Minister in addressing the adverse impacts of the economic downturn on the apprenticeship programme, which is so vital to skilling our young people to a level that will make them an important part of the equation for attracting inward investment and for building new businesses on a sound skills base. It is important that we consider apprentices' training and a skills base that will be attractive to employers who are thinking of setting up business and coming into the Province at a time such as this.

As Members have said, the target for apprentices in training was reached by the Department before the worst of the recession began to bite. That deserves to be commended. It is not a question of thinking about what we will do when the crisis arrives. The Department is to be commended for looking to the future and for laying the foundation on which prosperity can be built for the Province when the upturn occurs.

In September 2008, at the launch of ApprenticeshipsNI, the Department restated its commitment to having 10,000 apprentices trained by 2010. We know that that target has been reached.

As we go forward, a team effort is required; and the basis for that has been laid already by the Department, the Minister, the stakeholders, the Committee and the Assembly. That proactive approach will protect the considerable achievements of each person in the apprentice skilling area and is money well spent.

I support the motion, and it is hoped that, ultimately, the Province will be better because of the work of so many people on this initiative.

**Mrs McGill:** Go raibh maith agat, a Cheann Comhairle. I am a member of the Committee for Employment and Learning and I support the motion. As other Members have done, I thank the officials and all others who have been involved in the production of the report.

Other Members have mentioned the questions that the Committee posed at the start of the inquiry. Our inquiry into the way forward for apprenticeships followed an inquiry that the Committee undertook into Training for Success. Good work has been done in both areas; even if do I say so, as a member of the Committee. A lot of work has been done on apprenticeships.

I commend the Minister and the Department for the initiatives, and I thank the Minister for attending today's debate. However, there is still work to be done on apprenticeships. Several Members who spoke referred to issues relating to funding and careers guidance. Training was not mentioned as much, but I want to touch on that issue.

Funding is a big issue. The Committee received evidence from several contributors during the inquiry, and funding was mentioned repeatedly: it was mentioned in relation to how apprentices were able to manage and it was mentioned in relation to employers. Members can read the report for themselves, but I was struck by the fact that NIE, with all that it has going for it, believes that the Department for Employment and Learning should subsidise apprentices to the tune of 50%, and that the money should be paid upfront. If that is how large companies feel, what must it be like for small and medium-sized enterprises? It must be difficult. I hope that I have got that right; I see that the officials are checking it.

Yesterday, I spoke to a young apprentice who had to give up his apprenticeship. I informed the Committee about other apprentices who had similar experiences. That apprentice had to get a lift from his home, which was in a rural area, to a bus stop, from which he got a bus to college. In the evenings, he had to get a bus back to his village and then get a lift home. There are added burdens in the rural west and in other rural areas. It is difficult; I cannot stress that enough. Funding has to be looked at.

Mr Attwood and my party colleague Paul Butler referred to the minimum wage. The Committee's report contains recommendations on the minimum wage. It is essential that that is looked at. Funding is a big issue.

The report contains 15 recommendations, of which six are key recommendations. Recommendation 11 relates to funding and recommends that the Department analyses the reasons why apprentices do not complete their courses. That is absolutely critical. There is no point in Departments, officials and everyone else working hard on that, and other issues, if that work is

not properly evaluated. I want to see that issue tackled, including with respect to the example that I mentioned earlier.

Do people from lower-income backgrounds depend too heavily on their parents or guardians to fund their participation in apprenticeship schemes? Why are infrastructure and transport arrangements not in place so that they can get to their places of work? Why are those who participate in apprenticeship schemes seeing those of their own age making quite a bit of money, while they must pay for something that is not always that rewarding, even in respect of the training that is provided?

**Mr Speaker:** The Member should draw her remarks to a close.

**Mrs McGill:** I am aware that a Department of Enterprise, Trade and Investment (DETI) survey was carried out, the results of which, in the main, were fairly positive. However, the outcome was not completely positive and, after listening to young apprentices, my view is that their training must be evaluated.

**The Minister for Employment and Learning (Sir Reg Empey):** I welcome the report of the Committee for Employment and Learning. It was the Committee's second inquiry into training programmes during the relatively short operating period of the professional and technical training provisions of Training for Success and, more recently, ApprenticeshipsNI. The Committee's undertaking of two such inquiries in such a short space of time signals the importance that it attaches to the training of our young people. In that respect, I wholeheartedly agree with the Committee, and I welcome the fresh input of the report, which will help to ensure that that provision is as good as possible. Of course, I will require a little time to consider the commentary and recommendations of the report and to provide a measured response. However, I am pleased to have the opportunity to make a few comments today.

The DETI apprenticeships survey that was carried out between November 2008 and January 2009, which was mentioned in the Committee's report and by the previous Member who spoke, speaks well, in general terms, about the training that is being provided to apprentices today. DETI reports that the quality of training provided by the supplier organisations is mostly good or better, with management similarly rated. It also reports that the majority of apprenticeships are achieving standards of work that are good to excellent, and that retention rates are good or better, in the main. I was also pleased to read that the majority of apprentices are well cared for and supported, with most enjoying their apprenticeship programme in an environment that is safe and secure. That is a welcome assessment of the opportunities that are being provided to our apprentices.



I have noted the Committee's assessment that ApprenticeshipsNI tends to be the choice of students with a limited number of options. I have also noted that apprenticeships do not enjoy a high status and are often viewed as a second-choice career pathway. Several Members, including the Committee Chairperson, have mentioned that issue during today's debate. A great deal of work must be done on the status issue, but that is not confined to apprenticeships, and there are many sectors of our industry in which the Department is working to ensure a recovery in status. Even in the IT sector, such work has had to be done.

We must communicate with our careers officers, our employers and others, because the student pathway through university is not the only appropriate route. We have probably already reached the national target for enrolment in universities that the Prime Minister set two years ago, including the target set for enrolments on the part of those from a disadvantaged background. I accept entirely that we have work to do, but there must be a collective effort by all of us. In many cases, it is a matter of what society deems appropriate and the public perceptions that exist. It is a pity that that view of the ApprenticeshipsNI programme exists because, as all Members know, apprenticeships are essential to the well-being of our economy and, in many cases, offer a pathway to a well-paid and interesting career.

As has been mentioned, many of the people who head our leading companies began their careers as apprentices. I will take stock of the messages that we are sending out about that provision to see whether we can do more in partnership with the Alliance of Sector Skills Councils to build on the successful marketing campaigns that have been run to date.

1.30 pm

Several Members mentioned the minimum wage. Part of the attractiveness of a scheme must be that apprentices earn a fair wage while they are in training. The Low Pay Commission has been tasked specifically with looking at apprentices' wages, and I am aware that its representatives were at Stormont a couple of weeks ago. However, that work is likely to take some time. In the interim, I have asked my officials to look at options, while remaining mindful of the economic climate. Mr Attwood, among others, mentioned the minimum wage, and I am happy to look at that issue, because it will be some time before the Low Pay Commission's report becomes available.

**Mr Attwood:** Bearing in mind that the Committee flagged up that issue a year ago and that it is being flagged up again now, and given that the Minister said that the Low Pay Commission will not report for at least a year, will he tell the House when he hopes to conclude his examination of the matter?

**The Minister for Employment and Learning:** The Member will know that the Low Pay Commission has primacy in setting the minimum wage. We expected the report to be available more quickly and, therefore, it seemed inappropriate that I should try to second-guess it. However, it is precisely because of that extended timetable that I am prepared to look at the matter. I do not have a specific timescale in mind, but I assure the Member that the examination will not take very long. The opportunity exists to see whether we can introduce interim measures that may have to be altered later when the Low Pay Commission's report becomes available.

Next year, my Department will have the opportunity to review the way in which it procures training. To secure employer-led provision of the highest quality, we must become more flexible and respond to the individual needs of the occupational sectors; the needs of new investors in the Northern Ireland economy who need to tailor their training programmes for global markets; and the needs of employers who must maximise productivity and competitiveness. We have a lot of work to do. In doing that, the Department will expect its training providers to be innovative and flexible in how they deliver a high-quality product that meets customers' needs in a way that is time efficient and represents value for money.

For our part, we must, within the bounds of good governance, reduce any barriers of unnecessary bureaucracy and as the Committee report suggests, streamline key processes. Although we have all been saying for years that we must cut bureaucracy, in the correspondence that I receive and in statements made in the House, Members frequently ask for more monitoring and accountability, or for this or that commission to be set up. People tend, naturally, to want Government to do such things. I accept what the Committee says in the report because it is right: we must look at governance. However, once we start to move back from the coalface, issues will start to arise over whether money was spent properly, and who did what. In other words, a balance must be struck. Members frequently ask for more bureaucracy. The report is good, and I must commend the Committee on it. I accept that there are issues, and I assure the Committee that if we can find a way to reduce bureaucracy that is consistent with good governance, we will seek to do that.

I wish to comment on programme-led apprenticeships. I wish to announce that from 1 September 2009, my Department will launch a new programme-led, unwaged apprenticeship provision to cater for school-leavers who could previously have expected to have gained employment as apprentices at level 2 and, in time, to have progressed to level 3. That professional and technical training will run parallel to employer-led provision and



will enable 16- and 17-year-olds to gain a full apprenticeship qualification in a chosen skill area through a combination of simulated learning and a placement with an employer one a day a week.

The work placement is a fundamental element of the programme-led apprenticeship to ensure that the trainee can be assessed properly in a real working environment. It is crucial that sufficient placements are secured, and I will be calling on ministerial colleagues to work with their Departments to enable a sizeable proportion of those placements to be found within the public sector and to use procurement contracts to lever placements from within the public-sector supply chain. That ties in with one of the points that Mr Attwood and others made.

There is no doubt, given the size of the public sector, that it is not unreasonable to expect that it should play a role, particularly in these economic times. There are opportunities not only in the Health Service but right across the card, including my Department. I will be approaching ministerial colleagues to seek their support to allow us to move forward. One of the motivations for bringing the matter forward today is the fact that the school year will end in the next few days. Reference was made to the end of the university year, and I have something to say on that, but I will not be doing so today.

Some employer training organisations would prefer us not to go down this route, but the fact remains that large numbers of young people will be leaving school and we must find a path for them. Youth unemployment is already high in Northern Ireland, as it is throughout these islands, and it will grow even faster if we do not take measures to try to offset it. In addition to the public sector, I will also be looking for the third sector to provide placements. We must look right round to see what options are available for placements.

The placement issue is important. I know that it is difficult for employers, and we have been running into difficulties, particularly with having three- and four-day placements each week, but this will be a placement for one day a week. Everyone must play a part in trying to achieve placements. Although I am still expecting private-sector employers to play their part, as they have done for many years, the strategy will help to reduce the pressure on them alone to make that happen, and that is the general will in the Chamber. The strategy will propose targets for each of the three sectors.

Significant contributions were made during the debate, and I will try to pick up on a few matters in the time remaining. Mr Attwood raised the issue of the target for apprentices. We set a target that was not age-specific, but when the age was raised it contributed significantly to the achievement of the target. However, it will have to be revised in light of circumstances.

The Committee indicated that I was misadvised on the issue of foster employers. However, I have dealt

with a number of major employers who assured me that they were enthusiastic about the matter. Indeed, they said that they were willing to participate fully. However, it was not long before those employers were in difficulty themselves, and that has had an impact. Nevertheless, that situation has not affected anybody adversely, because if it was an option, it was taken up, and if it was not, it was not. However, I retain the hope that when things start to turn round for many of those employers, it may be of some help.

Mr Attwood raised the issue of the Health Service, and I have covered that in general terms. It goes without saying that due to the large number of people employed in the Health Service, and with the Health Service and the social-services sector accounting for 47% of our Budget, the Health Service will have a major contribution to make.

Although the procurement issue is primarily a matter for the Department of Finance and Personnel, the Finance Minister has indicated the achievement of apprenticeships for each £1 million or £2 million of expenditure, and has pointed out how that could help. That will be rolled out, and there is general support for it in the Chamber.

I will return to the status issue, because we all have to play a part in addressing that. There is no doubt that professional and technical workers are those who make business and industry work. There is a need for graduates, and I am sure that Anna Lo realises that, over their lifetimes, the earnings of graduates are substantially higher than those of non-graduates, despite the debt that they may accumulate at university. Part of the problem is that specific industries have image problems, and we have been trying to address that.

We should spend some time looking at how our Careers Service treats apprenticeships, but we all have a role to play. Professional and technical people oil the wheels that keep industry and commerce going. It is not all done by graduates; we need professional and technical people. The negative perception of apprenticeships starts in our schools, and perhaps the Careers Service needs to play a role by engaging on the issues specific to that. We may all need to do more to promote apprenticeships because I have absolutely no doubt that they are essential for the maintenance of a high-quality and high-productivity economy in our Province.

**The Deputy Chairperson of the Committee for Employment and Learning (Mr Newton):** Like every other Member who has spoken, I thank all those from a broad range of backgrounds who generously gave their time to attend meetings of the Committee and give evidence. I also pay tribute to the Committee Clerk and his team. The report is in its eighth version, and I do not think that anyone in the Committee could have failed to be impressed by the diligence of the Clerk and his team.

Many months ago, we debated the problems with the Jobskills programme, and, thankfully, we have moved a long way from that programme and are now in an entirely different place. The Department is to be commended for the way in which it has addressed the issues.

I support the motion. I recognise that high-quality apprenticeship training and skill development is vital for the future economic well-being of our community. Quality provision of skills training will present opportunities to our future workforce. For some reason, as other Members have mentioned, our brightest and best school-leavers have rejected a professional and technical education in favour of academic education, yet many senior management positions in industry are held by those who started their careers as apprentices on the shop floor.

The Department for Employment and Learning must give serious consideration to the report, and I welcome the Minister's assurance that he will do so. Our young people deserve the best opportunities to develop their skills to the highest possible level under the skilled instruction of those who are expert in their field. I emphasise that tuition should be given by those who are expert in their field; I will return to that point later.

Apprenticeships should also allow the students to experience their profession outside the setting of a classroom and get a real and full understanding of their subject. However, in today's uncertain economic climate, more and more apprentices are being made redundant, with many facing difficulties in finding another employer. That has a detrimental effect on their futures, because many are unable to finish their apprenticeship qualifications, which leaves them frustrated and annoyed, with a feeling of underachievement.

1.45 pm

The statistics have been referred to. For example, we all know that since September 2008, more than 1,500 apprentices have been made redundant. There is an underlying need for those young people to find opportunities that will allow them to carry on their apprenticeships, and if a solution is not found, Northern Ireland's economy will suffer. The current economic outlook may not be as bright as we want it to be, but it will improve. Northern Ireland must have a fully trained and skilled workforce so that it can compete in the global market.

That is why the Committee for Employment and Learning calls on the Minister to offer greater protection to apprentices. All too often, we have seen employers cut costs by scrapping their apprenticeship programmes. Although that may do no harm to employers in the short term, a lack of a skilled workforce in the long term would mean that jobs that require skilled workers will not be taken up. People from foreign parts would be needed to provide that skilled labour.

More SMEs need to become involved in apprenticeship programmes, and I call on the Minister to encourage more such companies to take up the opportunity to offer apprenticeships to students. That can be achieved by forming skills training clusters, which was an initiative that the Federation of Small Businesses favoured in its evidence to the Committee, and/or by establishing centres of excellence and/or group training associations that would meet the needs of specific sectors.

Recommendation 13 of the Committee's report suggests strongly that the Minister examine all the issues that are connected to centres of excellence, with a view to proceeding towards the establishment of such facilities. That type of approach may help to increase the skills levels in the construction industry in particular. Indeed, the Committee Chairperson made that point. It might help to secure the tenure of apprentices in an economic downturn. Whatever the model or approach, the need is to ensure that the standard of training that is provided is of a high quality and can be benchmarked favourably against that which is provided in any other part of the world.

Mr David Hilditch declared an interest when outlining the difficulties that his son has experienced. The young man is with his fourth employer in trying to complete his apprenticeship. He is to be commended for his tenacity in seeking employers with whom to complete the apprenticeship. David emphasised the economy's need for the skills that are offered by STEM subjects, and he outlined the problems that are faced by small and medium-sized enterprises.

David McClarty paid tribute to the Minister; why would he not? No one could guess why that might be. I am sorry that David is not in the Chamber. In paying tribute to the Minister, he outlined the Government's responses and the need for employers and SMEs to be flexible. I think that every Committee member will agree with that.

Other Members emphasised promoting the status of apprenticeships by making use of people who have achieved high office, having started their careers as apprentices. The Committee perceives showing people who have been successful through the apprenticeship route as a way of addressing the status of apprenticeships.

Alex Attwood queried the numbers of apprenticeships, and he emphasised the wages that apprentices receive. He said that the wage should be at the minimum wage level in contracting arrangements, and I presume that he means the minimum wage level and above. He called for legislation to ensure that public contracts involve a quota of apprentices. Again, that issue is emphasised in the report. He specifically mentioned the need to have apprentices in the front line of the Health Service. I agree with him that the Minister's response to the report should not take nine months.

Anna Lo spoke from personal experience when she outlined a case on the status of apprenticeships. She said that that status was preventing young men and young women from taking up apprenticeships.

She highlighted the problems of numeracy and literacy; as it took evidence, the Committee heard about that from many employers. Many perceive apprenticeships as a sort of dirty employment, when in fact it is the opposite of that in many cases. Ms Lo cited the example of the automotive sector, which offers high-quality careers involving high-tech knowledge and skills. Ms Lo referred to the Committee's visit to the NIE apprenticeship centre and referred to the pride that apprentices in that employment took in their careers. One of the distinctive things about entering into an apprenticeship, not just with NIE but with any of the other organisations that offer apprenticeships and adopt a centre-of-excellence-type approach, is that there is a career pathway towards the apprenticeship.

William Irwin referred to the worrying statistic that 1,500 apprentices have been made redundant. He spoke of the need for investment to address that, and the need to cut red tape. He said that apprenticeship careers should be considered as an alternative to university.

Mr Paul Butler spoke of the need for employment and said that apprenticeships should not just be training places. I also emphasise that. We do not want to return apprenticeships to being training places. They must offer employment and a career opportunity. Mr Butler stressed the need to get it right for the future and referred to the construction sector's problem. He emphasised the importance of a career pathway, and the need for training to be employer-led as opposed to the ethos of the Jobskills programme.

Dr Robert Coulter supported the report and said that the House should take it seriously. He spoke from personal experience of the difficulties of organising apprenticeships. He stressed that the report is vital to the economy and to attracting inward investment to the Province. Like the Chairperson, he emphasised the need for a team effort. He recognised that the report represented a proactive approach.

Claire McGill got through her speech without mentioning Strabane, but she did mention "rural areas", so we should perhaps interpret that as referring to Strabane. She stressed the issue of funding and said that funding for apprentices in rural areas was a major problem. She outlined what one employer had indicated to her as being important, namely the methodology, rather than the amount, of the funding. She suggested that apprenticeships should be front-loaded, rather than the bulk of the money coming on completion of the apprenticeship. She stressed the importance of recommendation 11, the analysis of reasons for the non-completion of apprenticeships. I agree that that is a vital recommendation.

The Minister welcomed the report and described it as a "fresh input". He recognised the need to address the issue of status. He accepted entirely that university was not the only pathway to a career. He mentioned that many senior managers had progressed by way of apprenticeships. As so many Members have mentioned that, it is a point that must be taken up.

In response to an intervention from Mr Attwood, the Minister agreed to look at the minimum wage and recognised that the Low Pay Commission report was taking longer to emerge than he had anticipated. However, when pressed to give a time for that, he said that it would not be very long.

The Minister said that in future, training providers would be expected to be flexible and to offer high-quality training. He addressed the issue of red tape and recognised that Members frequently ask for that burden to be cut, in line with good governance.

**Mr Attwood:** I thank the Member for giving way. First, during my contribution, I overlooked the opportunity to acknowledge the work of the Committee, the Chairperson, the Deputy Chairperson — however long he remains in that post — and the staff.

On the issue of the introduction of minimum pay or, as the Member rightly pointed out, higher rates of pay for apprenticeships, is he concerned about the fact that there is a difference between real time and DEL time, and that DEL time is a lot longer than real time?

**The Deputy Chairperson of the Committee for Employment and Learning (Mr Newton):** I thank the Member for his intervention. Obviously, I want the minimum wage issue to be addressed as soon as possible.

The Minister's announcement caught many of us unawares. A few of his remarks gave me cause for concern. First, he indicated that he might introduce the proposal of simulated training. Secondly, he said that apprentices would spend one day a week with an employer. Thirdly, he said that he envisaged the programme lasting four years in total, with the final two years being employer-led, whereby the apprentice becomes a waged employee.

**Mr Speaker:** The Member should draw his remarks to a close.

**The Deputy Chairperson of the Committee for Employment and Learning (Mr Newton):** That runs contrary to all the professional advice that employers offered to the Committee as evidence.

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

*Question put and agreed to.*

*Resolved:*

That this Assembly approves the report of the Committee for Employment and Learning on its Inquiry into the Way Forward for Apprenticeships; and calls on the Minister for Employment and Learning, in conjunction with Executive colleagues, to implement, as a matter of urgency, the recommendations contained therein.



## COMMITTEE BUSINESS

### Egan Contractors

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

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** I beg to move

That this Assembly calls on the Minister for Social Development, in view of the adverse economic impact suffered by the employees of Egan contractors, to increase the budget allocation for decent homes and related programmes; and to ensure that future communication with contractors complies with Egan principles.

On 11 June 2009, the Committee for Social Development agreed that this motion should be tabled for debate. After receiving evidence from a number of Egan contractors on the impact of significant reductions in the Housing Executive's decent homes expenditure, the motion was agreed on 21 May 2009. Members of the Committee will set out the key difficulties and concerns and how those matters can be resolved. First, I will provide some background to the issue.

The Housing Executive estimated that in 2006, 23% of Housing Executive homes, unfortunately, did not yet meet the decent homes standard. To be a decent home, Housing Executive houses must, among other things, comply with the statutory fitness test that requires reasonably modern facilities, a WC that is appropriately located and a reasonable level of thermal comfort. Complying with that standard will clearly not make any Housing Executive home into a luxury home. Compliance with the decent homes standard merely represents an important basic milestone that all Members want to see achieved.

The Committee understands that the Savills report will show that significant improvements in Housing Executive stock have been achieved. However, it is understood that that report will indicate that around 11,000 Housing Executive homes still do not meet the decent homes standard, owing in some part to the inefficient heating systems.

The Committee has written to the Department to request access to the Savills report. I hope that the Minister will provide some detail on the impact of the decent homes programme today and clarify the way forward for Egan contractors and their employees.

2.00 pm

I will now discuss the Egan contractors themselves. In 1998, the construction task force, led by Sir John Egan, produced an influential report recommending

the development of longer-term relationships between the construction industry and key stakeholders such as the Government. Those longer-term arrangements were designed to deliver better quality and efficiency for the Government and provide enhanced security for contractors. The Housing Executive adopted the Egan recommendations, or principles, in 2000. At that time, the Housing Executive entered into achieving excellence contracts for all work including heating installation, external cyclical maintenance, kitchen and bathroom replacements and so on. The Department has advised the Committee that those contracts were designed to be long-term partnerships but that they included no absolute guarantee of work for contractors in any particular year.

I will move on to more recent events. Owing to difficulties in the property market, the Department experienced significant shortfalls in its housing budget in 2008-09. As the House is aware, the Department asked for additional support and for the Department of Finance and Personnel's agreement to move money around in an effort to keep the social housing development programme on track. The Department, like other Departments in monitoring rounds, did not receive all the money that it requested, the upshot of which was a substantial reduction in spending on decent homes work, which was provided by Egan contractors. In evidence to the Committee, Egan contractors described the impact of those sudden reductions in expenditure. At one stage, firms that had undertaken several million pounds worth of work a year asked their employees to do overtime. However, they abruptly laid those workers off.

The Committee is not suggesting that the Department breached its contracts with Egan firms, and it is not implying that any illegal activity has occurred. The Committee recognises that the actions of the Department and the Housing Executive may have been motivated by a desire to protect the public purse from unsustainable expense.

The Committee asks how the state of affairs with Egan contractors arose. The difficulties in funding the housing budget were well known in autumn 2008. Consequently, the Department made substantial bids in the December monitoring round. As the outcomes of monitoring rounds depend on many factors and are, therefore, never certain, one might conclude that, prior to December, the Department must have known about the potential difficulties in funding all housing maintenance programmes. Given that, the Committee has asked why the Department or the Housing Executive did not begin to reduce Egan contractors' work in late autumn. Furthermore, the Committee asked why the funding reductions were not communicated to the Egan contractors. That would have allowed the Egan contractors to plan for the



difficulties that they encountered and, crucially, would have allowed them to warn their workforce. No one wants to hear news of redundancy. However, if the employees of Egan contractors had been given more notice, they could have better arranged their finances or even sought alternative employment.

As I said, the actions of the Department and the Housing Executive in this case did not break any laws. That said, the way in which the Egan contractors and their employees were treated was, as implied in the motion, a clear deviation from the spirit of the Egan principles. The motion, therefore, calls on the Minister to ensure that there is no repeat of this situation and that future communication between the relevant parties complies with the Egan principles.

The motion also calls on the Minister to increase the budget allocation for the decent homes programme. I have already set out why that programme is important. The Committee recognises the difficult Budget situation for the year ahead. Nonetheless, the Committee encourages the Minister to set achievable and sustainable targets for all elements of the housing programme, whether for newbuild, upgrading or refurbishment work.

The Committee, the Egan contractors and their employees await the outcome of the Savills report with great interest. The Committee believes that, dependent on that report, the Minister should seek additional support for the decent homes programme through the monitoring rounds.

I look forward to hearing Members' contributions to the debate and the Minister's response. I have been speaking as the Deputy Chairperson of the Committee, but, as an ordinary Member, I want to say that meeting contractors on a constituency basis and hearing about problems that they have encountered has been difficult. Members of the public have also had great difficulties with their contracts for some time now. I support the motion.

**Mr F McCann:** Tá mé sásta labhairt ar an rún seo inniu. I welcome the opportunity to speak in the debate about the Egan contracts. My constituency office staff can attest to the impact that the situation is having, because they are being contacted daily by people who had been expecting improvement work to be carried out on their homes, only to find that many kitchen and heating replacements and other improvement works have been frozen, while planned cyclical maintenance programmes have also been suspended.

Changes to the procurement process, which were promised to provide a fairer and more efficient system, were meant to convince many local contractors to become involved in the Egan contracts process. Sir John Egan's report entitled 'Rethinking Construction' was published in 1998. In 2006, the Housing Executive

initiated a system based on the Egan approach, and, after the initial process, four contractors were awarded five contracts based on different Housing Executive areas. The Housing Executive agreed a package of predetermined rates and costs for Housing Executive contractors and suppliers. That was viewed by all involved as a positive partnership approach, and the contracts were to last for up to five years.

The contracts started to roll out in July 2008, the contractors having been told that £37 million a year would be available to replace 4,500 kitchens and for 9,500 homes to receive external maintenance, which is essential if houses are to meet the decent homes standard. The new programme was problematic from the beginning, and in October 2008 the Egan contractors were informed that they should roll out a new programme to begin in early 2009.

On 15 December 2008, however, the Minister for Social Development made her "smash and grab" speech, accusing her Executive colleagues of stealing her money. Her party colleagues were predicting that cyclical maintenance programmes, kitchen replacements and grants would be the first to suffer. Three days later, the Housing Executive formally announced that it would not go ahead with the Egan contracts at that time. Also, in that period, SDLP Members were advising tenants and affected homeowners to go to the DUP and Sinn Féin to register complaints that funding had been taken from the Minister, as though the fault lay with those two parties. However, they failed to mention that the Minister had handed back tens of millions of pounds to the central pot in the December monitoring round.

Although a number of schemes were reinstated —

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

**Mr F McCann:** You accused me last week of not giving way.

**Mr Attwood:** I know; a leopard takes time to change its spots.

If, on the Floor of the House, in the past two weeks, Sinn Féin has accepted the principle that unspent DSD moneys should be reallocated for housing need, including Egan contracts, why in December 2008 did it not accept the same principle? Why, in December 2008, when the Minister went to DFP to ask that unspent DSD moneys should be allocated to housing, did Sinn Féin not stand up straight and tall, back the Minister and get the money for the Egan contracts, rather than wait six months to change its mind?

**Mr Speaker:** The Member has an extra minute in which to speak.

**Mr F McCann:** Two members of the SDLP who are sitting on either side of the Minister are on the Committee. They know that I fully supported the

Committee's bid to support the Minister in securing additional funding and resources. I have also said that, during monitoring rounds, any money that becomes available should be directed towards the housing programme and the housing budget. I believe and I understand that there are difficulties, but we are not — *[Interruption.]*

**Mr Speaker:** Remarks must be addressed through the Chair.

**Mr F McCann:** I understand some of the difficulties. We are talking about a general budget, not one that deals purely with social newbuilds. Although some schemes were reinstated in January 2009, the problem had resurfaced by March, when contractors were informed that there was little money to complete Egan contracts. The Minister informed representatives of Egan contractors that she would rather put roofs over people's heads than replace kitchens for others. In making that statement, however, she failed to take into account the serious condition of many kitchens that must be replaced on health and safety grounds.

Many of the schemes will be suspended, including external cyclical maintenance (ECM) contracts and grants. That will have a long-term effect and, by the end of this month, much of the money that had been available will no longer exist. The impact on housing standards will cost more in the long run, as properties inevitably continue to deteriorate. Cyclical maintenance is carried out over a 15-, 20- or 25-year period, dependent on the level of work, which ensures that houses are kept to the decent homes standard. The Minister's approach means that years of good work undertaken by the Housing Executive in ensuring appropriate standards of property maintenance will have been lost as decline starts to set in.

We have heard the pleas of Egan contractors at our Committee, and we find the Minister's argument that she is putting the construction industry back to work on newbuilds strange when 800 or more jobs may be lost in the construction sector. Two weeks ago in the Chamber, I quoted the British Chancellor, who in his pre-Budget speech stated that the upgrading of public housing to meet the decent homes standard should be prioritised in order to maintain employment in that sector of the construction industry. We have always supported the call for additional resources to be invested in all aspects of housing, not just social newbuilds.

The Minister is obviously ignoring large and important elements of the housing programme in instructing the Housing Executive to make those drastic cuts. She needs to revisit her budget to address the issue —

**Mr Speaker:** I ask the Member to draw his remarks to a close.

**Mr F McCann:** I thought that I had an extra minute. She needs to revisit her budget to address the provision of maintenance and heating and kitchen replacements.

**Mr Kennedy:** I wish to explain to the House, members of the Social Development Committee and the Minister that no formal representation will be made on the motion by the Ulster Unionist Party because our representative on the Committee, Mr William Armstrong, recently had an unfortunate accident and is incapacitated, as Members will be aware. I am sure that the House will take the opportunity to wish him a speedy recovery. As he is our sole representative on that Committee, it was not felt appropriate that anyone else should speak on this issue.

**Mr Burns:** I am happy to speak on the subject of social housing once again. I thank the Chairperson of the Committee for Social Development for bringing the motion before the House. I am glad to see social housing so high on the agenda. I only wish that it were being given such high priority by the Executive and the Finance Minister.

In previous weeks, we have debated the housing budget and how best to provide homes that are fit for the twenty-first century. Those were worthy debates, and many Members made very positive contributions. The Minister restated her commitment to meeting the targets set out in the Programme for Government. There is no doubt that all sides of the House are committed to providing the people of Northern Ireland with good social housing.

Everyone has a right to a roof over their heads and to a decent standard of housing. They deserve no less, and we must deliver that.

2.15 pm

We all know, however, that the housing budget falls well short of what is required. Every Department would like more money, but the situation with the Department for Social Development is different. The projected money from housing and land sales did not appear, and there is a big hole in the budget. Some Members are happy to criticise the Minister on any and every funding issue and want to paint a picture of the Department making cuts here, there and everywhere, even though they know that the Department is not properly funded.

The global economic downturn cannot be used as an excuse. Housing stock must be maintained and improved, and repairs carried out regardless. At the same time, we are all committed to the new building targets in the Programme for Government, and we now find that the money to meet those targets is a challenge for us all.

The debate is mainly about the budget allocation for decent homes and money for Egan contractors. The

standard of most Housing Executive houses is quite good. However, the Minister is best placed to outline the current state of the public housing stock.

**Mr McCarthy:** Does the Member agree that there is much public concern and anxiety that the Housing Executive will not be able to honour contracts that were allocated funding? Word is now getting out that, unfortunately, the Department will not be able to deliver, particularly for disabled people.

**Mr Speaker:** The Member has an extra minute in which to speak.

**Mr Burns:** Thank you, Mr Speaker. Work for Housing Executive tenants with a disability will be covered. That is a statutory obligation, and there is no question that that will not be covered.

**Mr McCarthy:** Excellent; thank you.

**Mr Burns:** A percentage of social housing falls short of what is required, and those properties will have to be brought up to standard. The Department and the Housing Executive are committed to doing that, and Egan contractors know that. I am sure, therefore, that Egan contractors had expected more work and more money.

What can the Department do if it does not have the money? We will not stop the newbuild programme. The arguments in favour of that programme were recently debated at length in the Chamber. Building social housing makes a positive contribution to the local economy. Therefore, if we want more money to be provided for decent homes and Egan contractors, we are back to the Department's bidding for more money at every monitoring round. If more money is forthcoming, I want it to be spent on fixing houses, new kitchens and bathrooms and so forth.

There must be new money. We must find a way to sort out the big problems with the social housing budget. It needs to be returned to a sure footing, because we cannot continue to wait for new handouts at every monitoring round. It is unreasonable to expect any Minister in any Department to manage his or her budget in that way.

**Ms Lo:** With the catastrophic drop in the receipts from housing and land sales, the Department for Social Development has been in crisis for the past year, depending on quarterly monitoring rounds to meet deficits in its programmes.

The Egan contract is a casualty of the Department's hand-to-mouth existence, as the Department does not have the ability to plan on a long-term and consistent basis. The Department for Social Development has to make priorities, and the Minister has made social housing her top priority. That is in keeping with the Programme for Government's PSA to build 10,000 houses by 2013.

A balance must be struck. Maintenance work is essential both to keep our stock in good order and to fulfil our obligation to the tenants of the 90,000 Housing Executive homes, who pay a total of £270 million rent a year. It has been suggested that the Housing Executive wasted an opportunity by increasing rent by only 1.95% compared with the 6.12% national average increase in 2009-2010. That is mostly covered by HM Treasury through housing benefits, and perhaps the Minister will comment on that.

The debate is quite timely in that the Savills report came out today. That report stated that we have the best stock in the UK, and the Housing Executive should be commended for keeping on top of repairs and maintenance. However, we need a full maintenance programme to enable the Housing Executive to sustain its excellent record. We must not forget that 17% of our housing stock fails the decent homes standard.

The anticipated drop from £40 million to £10 million in the Egan contract is too drastic. The Egan contractors have said that there are some 1,100 vacant Housing Executive properties that cannot be rented because minor repairs or major improvements need to be carried out. Those properties could be brought up to the required standards at a fraction of the cost of building new houses. It is obviously cheaper to renovate than to build new houses, and renovation can sustain jobs in the construction industry. Perhaps we need to consider spreading the housing budget to cover maintenance work rather than dedicating it solely to building new social housing.

**Miss McIlveen:** I support the motion. It addresses a wide-ranging issue that affects contractors in every constituency in Northern Ireland. Under the decent homes programme, Housing Executive houses are brought up to modern standards of fitness, structure, energy efficiency and facilities. In many ways, those are the minimum standards that we should seek to obtain. However, current circumstances have caused delays in the decent homes programme and other related programmes.

In 2006, the period for which we have the most up-to-date figures, almost one quarter of Housing Executive homes failed to meet the decent homes standard. That standard involves houses meeting the statutory fitness standard; being in a reasonable state of repair; having reasonably modern facilities; and providing a reasonable degree of thermal comfort. That all sounds perfectly adequate until one notes that the reference to reasonably modern facilities means that kitchens must be less than 20 years old and bathrooms less than 30 years old. It is a cause for concern if one quarter of houses does not reach that standard. That concern deepens if the schemes to address the problem have been placed in abeyance.



I hope that the House will forgive me for being parochial; numerous Housing Executive schemes in my constituency of Strangford were due to be carried out in this financial year but have instead been mothballed until funds are made available. That is particularly true in the Ards district, where schemes dotted around the entire district have been removed.

**Mr Kennedy:** I am grateful to the Member for giving way. I wish to add to the concern that the Member expressed about the non-availability of Housing Executive grants. Does she share my concern that many people are being told that their applications are being cancelled, with the added difficulty that many of them have waited in a queue for a long time and now find themselves with cancelled applications? I ask the Minister to address that issue when she responds to the debate.

**Mr Speaker:** The Member has an extra minute in which to speak.

**Miss McIlveen:** I agree with Mr Kennedy's comments: the issues are the same across the Province, not just in my constituency of Strangford. However, I am concerned about schemes in the Ards district that have been removed because funds have simply dried up.

The multi-element improvement scheme in the West Winds estate in Newtownards will be delayed, which will affect 68 properties. That scheme involves the improvement of living and dining space, refurbishment of kitchens and bathrooms, and rewiring and installation of central heating. An external maintenance scheme concerning 170 properties in Greyabbey and Kircubbin has been put back indefinitely. A major improvement scheme in the Glen estate, in which 16 bungalows were to receive an additional bedroom among other improvement works, cannot proceed. In Newtownards, two kitchen schemes concerning 72 homes in the Scrabo and Bowtown estates are not proceeding. Furthermore, in my council area, 112 properties in Donaghadee, which were to benefit from replacement central heating — from coal fire to gas — will have to wait until an undefined date when the Housing Executive can afford to carry out the programme.

In addition to those matters, the first phase of environmental improvement being made to the Bowtown estate, which has been ongoing for the past year, has been suspended. I understand that that alone is a £1 million scheme.

The suspension of work affects not only the expectations of the residents in those diverse social housing areas where some of the work scheduled is required urgently; there is also the effect on the contractors and, in turn, their employees and subcontractors. At a time when fewer houses are being built given the catastrophic downturn in the housing market, the impact that the cancellation of work in the

social housing sector has on tradesmen in the building industry cannot be overestimated. Contractors are facing the prospect of laying staff off due to the shortfall in funding for the Egan contracts.

Mr McIntyre, the chief executive of the Northern Ireland Housing Executive, stated that the shortfall in funds has been caused by the collapse in the housing market and that the blame does not lie at the feet of the Executive. Indeed, he specifically stated that it does not represent any lack of commitment on the part of the Government to support housing.

Sales accounted for £100 million of the Housing Executive's income two years ago, but it is anticipated that only £6 million will be garnered from that source in the forthcoming year. The Committee has been informed that the Minister has made newbuilds her first priority, which has resulted in the projected spend on Egan contracts of £37 million being slashed to just £10 million. Instead of vital works being carried out on 9,500 homes and more than 1,000 vacant properties in order to make them habitable, the proposal is to build 250 new social homes.

Funds are limited, and it is not for me to tell the Minister how to prioritise her budget, but, as the previous speaker, Ms Lo, said, a balance must be struck. I ask the Minister to look again at the programmes for the sake of people living in houses that are in need of repair and upgrade, for the workers relying on Egan contracts, and for the people on waiting lists, while there are houses simply waiting for repair.

**Mr Speaker:** As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will continue after Question Time, when the next Member to speak will be Mr Molloy.

*The debate stood suspended.*



2.30 pm

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

## Oral Answers to Questions

### EDUCATION

**Mr Deputy Speaker:** Mr McNarry is not in his place for question 1.

#### Teacher Redundancy Regulations: EQIA

2. **Mr Burns** asked the Minister of Education whether she will ensure that a full equality impact assessment is carried out on the proposed teacher redundancy regulations. (AQO 3012/09)

**The Minister of Education (Ms Ruane):** The Department carried out an eight-week consultation on the draft regulations and their equality screening. The closing date for responses was 15 May. The Department has completed its analysis of all responses to the consultation; a summary of those responses will shortly be published on its website. I am considering the views of the consultees, and I will bring forward proposals shortly.

**Mr Burns:** I declare an interest as a member of a board of governors. There has been quite a bit of concern about what form of redundancy package the teachers will receive. Will the Minister tell the Assembly what negotiations she has had with the unions about the proposed redundancies?

**The Minister of Education:** As I said, I am considering the outcome of the consultation. I will make a decision on the draft regulations and any outstanding equality duties in due course. I have had discussions with a wide range of parties, and with my officials. I was at all the trade union conferences, and this very important issue was one of the issues that were raised with me. I will listen, and have listened, carefully to the points made about equality duties.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister encourage schools to give newly qualified teachers more experience through subbing, instead of using teachers who have retired?

**The Minister of Education:** It is essential that young, newly qualified teachers who are unable to obtain permanent teaching posts are afforded the opportunity to gain the necessary experience through providing substitute cover. The Department has issued circulars exhorting employers to give preference to

newly qualified, and experienced non-retired, teachers who are seeking work. The Department also advised employers that retired teachers should be re-employed only to provide short-term cover where newly qualified, or experienced non-retired, teachers are unavailable.

In addition to the guidance issued by the Department, a number of measures help to restrict the level of re-employment of teachers who have retired prematurely. The rules of the teachers' pension scheme militate against the employment of retired teachers, in that such teachers may suffer a reduction in pension as a result of their earnings from teaching. Since April 2008, the compensating authorities have been responsible for the cost of any enhancement to pensions awarded to teachers who retire prematurely. That has resulted in a significant decline in the number of premature retirements, and the further amendments planned under the draft regulations on premature retirement compensation may bring about another reduction.

The level of central reimbursement for the employment of substitute teachers has been capped at point four of the main pay scale. That provides an incentive for schools to employ newly qualified teachers to provide substitute cover, as opposed to teachers who have retired prematurely and are more expensive. However, schools have the flexibility to employ teachers at a higher cost at a charge to their budget should they so desire. Recently, during the accountability reviews of the boards, the Council for Catholic Maintained Schools (CCMS) and grammar schools, I met principals and governors, and I urged them to give opportunities to newly qualified teachers.

**Mr McCausland:** Castle High School in north Belfast is one of a small number of schools due to close in the summer. Several of that school's teachers have given many years of good service, stretching as far as 30 years in some cases. They had hoped to be able to leave the school with the premature retirement package that had been indicated to them would be the case earlier in the year. The more recent figures that they have been given are lower. Will the Minister give special consideration to teachers in that particular position?

**The Minister of Education:** I do not want to comment on cases in individual schools. As the Member will know, I have met the principal of Castle High School on many occasions.

He has also raised those issues with me, as have many teachers and principals across our school system. My officials and the boards are working with Castle High School on a range of issues that are related to the closure of schools.

**Ms Lo:** Does the large number of teachers seeking early retirement reflect the demoralised state of their profession?

**Some Members:** Hear, hear.

**The Minister of Education:** I do not accept that the profession is demoralised. I believe that we have one of the most committed, dynamic teaching professions in all of Ireland and, indeed, throughout Europe. If people look at the teacher-training courses and applications to them, they will see how highly regarded teaching is as a profession. Teachers are very highly regarded by society, and I am delighted that we have such professional teachers working with our children.

We must ensure that we provide opportunities and training and that we look at how we nourish and protect our teachers. We must make sure that they have career opportunities. That is what my Department is looking at.

### University Admissions

3. **Mr Bresland** asked the Minister of Education to outline the steps that her Department is taking to ensure that students from Northern Ireland will not be disadvantaged, during the intake of students to universities in the Republic of Ireland, as a result of the later release of their exam results. (AQO 3013/09)

**The Minister of Education:** Bhí inní mhór orm nuair a thuig mé go raibh próiseas á shocrú a d'fhéadfadh dul chun dochair dhaltaí A leibhéal a bhfuil iarratais curtha isteach acu chuig institiúidí ard-oideachais ó Dheas. I was concerned to learn that a process was being put in place that might have disadvantaged those A-level students who have applied to higher-education institutions in the South of Ireland. As soon as I became aware of that, I took immediate action to raise it with my counterpart, Batt O'Keeffe TD, the Minister for Education and Science. As a result, I have secured important assurances about the position of students from the North. In particular, I got confirmation that the higher-education bodies in the South will hold places to allow for offers to A-level applicants on merit.

The Minister has also written to me, stating that people here can:

"rest assured that applications for entry to higher education will continue to be based on merit, not geography".

The Minister continued by stating that students from the North will not be disadvantaged by the later availability of GCE A-level results.

Although I would much prefer our students not to have been put in this position in the first place, I am pleased that my intervention has secured important

assurances from the higher-education bodies and from the Minister himself.

I have written to post-primary schools to advise them of those assurances and to indicate that I will continue to monitor the situation and to keep a very careful eye on the issue to ensure that our students continue to receive equal treatment with their counterparts in the rest of Ireland. I believe that this situation highlights the need for a more uniform North/South and east-west approach to the handling of university admissions.

I also want to thank publicly the people who have written to me from various schools welcoming my intervention in the matter.

**Mr Bresland:** I thank the Minister for her answer. Should discrimination become apparent, will she take further action?

**The Minister of Education:** I welcome the DUP's concern about the issue. I will certainly monitor developments very carefully, which is why I have written to all post-primary schools in the North of Ireland to outline the assurances that I have received. I and my officials will monitor very carefully any potential or actual discrimination. Obviously, we must protect the rights of citizens of Ireland — North, South, east and west — and I will ensure that our young people are not disadvantaged in any way.

**Mr Attwood:** I agree with the Minister about the need to have a uniform approach to university admissions on these islands. I also welcome the monitoring arrangement that she has put in place.

However, does she agree that the only way to be certain that students in the North will be treated equally to those in the South is to assess them at the same time as all other students who apply for a place on a particular course? As welcome as the reassurances that she has got appear to be, does she agree that, in the event of a squeeze on available places, they may fall short if the number of Southern students with the required grades for the relevant courses are offered places in advance of Northern students? Reassurances are not guarantees. Will the Minister assure the House that, in future, guarantees will be in place?

**The Minister of Education:** As I said, I have received assurances, and I will be monitoring the situation carefully, because I am keen to remove all obstacles to mobility for pupils from this part of Ireland. I will continue to raise any such issues with Batt O'Keeffe, my counterpart in the South of Ireland. I will monitor the situation carefully, but I am pleased that, for the first time, we have written assurances that young people from this part of the island will be treated fairly. Those assurances from the Minister in the South are helpful.

One of the reasons for having human rights and equality legislation on the island of Ireland and throughout Europe is to ensure that young people's rights are adhered to. If those rights are not adhered to, there are remedies. This year, I will carefully monitor that process, as will my officials.

**Mr Beggs:** The Minister highlighted the importance of university intakes being based on merit. Does she believe that, when Northern Ireland's examination results are published, our young people's achievements — not just the number of qualifications, but the fact that fewer children here leave school with no qualifications — will continue to exceed those in the rest of the United Kingdom and, indeed, the Republic of Ireland?

**The Minister of Education:** I am not sure that I can agree with the Member's comments. Some of our young people do very well, and I applaud them for that. However, Members know my position on our deeply divisive and unequal system. I want to ensure that all young people, not just a small percentage of them, have opportunities to fulfil their potential.

I much prefer the system in the South, because it is much fairer. It is fairer for a number of reasons, not least because young people there are not discriminated against at the point at which they transfer from primary to post-primary education. We may have academic excellence at points in our system, and I welcome that; however, we also have the greatest body of underachievement in Europe. We must deal with that problem, and must not pretend that it does not exist. We must celebrate our young people's achievements, but I do not have a crystal ball, so I do not know how they will do in the future. I am not Harry Potter and I do not have magic wand; I wish that I did. However, we can look at past performance, which causes me much concern.

### GCSE Science: Triple Award

4. **Mr Elliott** asked the Minister of Education what percentage of (a) grammar; and (b) non-grammar schools offer separate sciences (triple award) at GCSE. (AQO 3014/09)

**The Minister of Education:** Sa bhliain acadúil 2007-08 bhí cásanna de dhaltaí i mbliain 12 cláraithe do GCSE sna trí heolaíochtaí leithleacha i 73% de scoileanna gramadaí agus i 2% de scoileanna neamh-ghramadaí. Mar sin de, d'fhéadfaí a rá go bhfuil teastas triarach san eolaíocht á theagasc ag GCSE acu. In 2007-08, 73% of grammar schools and 2% of non-grammar schools had year 12 enrolments in all three separate sciences and, therefore, could be classed as offering triple-award science at GCSE. The data on which my answer is based relates to year 12 pupils who were enrolled in science examination courses.

That data did not include any cases in which a school offered a science subject for study but no pupils took up the subject.

The revised curriculum provides opportunities to engage pupils in science from a young age. Through those opportunities, and as pupils see exciting and relevant career opportunities open to them through science, I expect to see an increase in the number of pupils who choose to study those subjects at key stage 4, sixth form and beyond.

My Department funds a number of major events relating to science, technology, engineering and mathematics that are designed to encourage young people to consider careers in science, technology, engineering and mathematics (STEM). Last year, for the first time, we funded the all-Ireland BT Young Scientist and Technology Exhibition in Dublin. The exhibition is held annually to celebrate the achievements of young people in STEM. Each year, the exhibition is visited by thousands of young people.

I attended that event in 2008 and this year. I also hosted a reception at Stormont for the entrants from this part of the island to this year's competition. It was a great way to meet the students, and it gave me the chance to commend them personally for their innovation and enterprise, and also to encourage a greater number of schools to attend.

2.45 pm

STEM Experience events were held for the first time in 2009. They aim to promote a better understanding of STEM subjects and to show primary- and secondary-school students between the ages of 10 and 13 that STEM can be stimulating, engaging and fun. We also have the Sentinus Young Innovators, which is an annual competition aimed at primary and post-primary students, with the winners receiving prizes for their STEM projects and having the opportunity to represent this part of the island in major national and international competitions. The Irish Senior Science Olympiad, just in case Danny did not get that bit, which was held in Dublin this year, is another STEM competition in which students take part in science tests. The successful applicants represent Ireland in a worldwide competition.

I look forward to working with all my colleagues to make sure that science is seen as a stimulating and innovative subject.

**Mr Elliott:** That was a very comprehensive reply, although quite a bit of it was in some foreign language that I did not understand. To tell the truth, at times, the Minister makes almost as much sense speaking a language that I do not understand as one that I do.



Is it the Minister's assessment that grammar schools play a positive role in the strategically important objective of STEM subjects throughout GCSE level?

**The Minister of Education:** I spoke in two languages: Irish and English. I translated the Irish that I spoke.

Grammar schools play a very important role, as do secondary schools. When I was in Dublin at the all-Ireland BT Young Scientist and Technology exhibition, I saw many people from a range of schools: integrated, Catholic and state secondary schools; and grammar schools from both sectors. Therefore, grammar schools play an important role in the promotion of science, and secondary schools do so as well.

However, I would throw the question back to the Member: is it right that secondary schools suffer and bear the brunt of demographic decline? Those are the schools that are letting teachers go because of demographic decline, so it is more difficult for them to offer as broad a curriculum as grammar schools. I am considering how to manage enrolment numbers in a situation of demographic decline.

Let us be fair to all sectors. The Member's question was very loaded, but of course grammar schools play an important role, as do secondary schools.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. I am sure that the Minister would agree that it is somewhat surprising that a representative from Fermanagh is promoting grammar schools, given that rural secondary schools have been decimated in that area.

How do we support our secondary schools to ensure that they have an equal playing field in the delivery of science subjects?

**The Minister of Education:** That is an important question. One way in which we support our secondary schools is by the creation of a more equal process in relation to transfer 2010, so that secondary schools do not bear the brunt of demographic decline and the deeply unequal system. Transfer 2010 will create a much more level playing field, more equality in the system and more opportunities for all our schools.

**Mrs Hanna:** Does the Minister agree that cuts in funding to specialist schools, especially those specialising in science, further discourages people from taking up STEM subjects?

**The Minister of Education:** Funding has not been cut for STEM subjects; in fact, funding has been increased. If the Member is referring to specialist schools, 10 different schools were successful. We could either give funding to a small number of schools or to all 10 specialist schools that were successful.

I had a meeting with the principals and boards of the 10 specialist school, and there was unanimous agreement that we should be funding the range of specialists rather than the STEM subjects only.

**Mr Shannon:** Has consideration been given to allowing grammar schools and secondary schools to work in partnership in deciding at which location science classes will be offered? That will provide children who may otherwise not have been able to access science classes the opportunity to do so.

**The Minister of Education:** I think that the Member's question refers to the entitlement framework and area-based planning. I am on record as saying that it is important that schools in an area work together to make sure that they are working to a timetable that allows them to share resources.

Recently, I was in a post-primary school in Strangford that is taking that approach. We need to encourage that. That should be done not only in second-level schools; regional colleges also have a role to play. Some of the most innovative programmes involve post-14 and post-16 year olds. In those programmes, second-level schools and regional colleges get together for subjects such as engineering so that some young people take some of their classes in the regional colleges.

It is important that schools work together, but they must do so on the basis of equality and not merely because, for example, one layer of grammar schools is filling up and secondary schools are having to lay off teachers because they are bearing the brunt of demographic decline and their budgets are being affected by the inequality in the system.

**Mr Deputy Speaker:** Question 5 has been withdrawn.

## Integrated Education

6. **Dr Farry** asked the Minister of Education for an update on the progress that she has made in encouraging and facilitating the development of integrated education during her term in office. (AQO 3016/09)

**The Minister of Education:** Glacaim go dáiríre le mo dhualgas reachtúil leis an oideachas comhtháite a spreagadh agus a éascú. I take seriously my statutory duty to encourage and facilitate the development of integrated education.

Since I became Minister of Education, the number of children who are attending integrated schools has increased from 17,600 to almost 19,400. I have approved development proposals to establish one new grant-maintained integrated post-primary college; transform three existing primary schools and one post-primary school to integrated status; establish one



integrated statutory nursery; and amend the statutory nursery provision at another grant-maintained integrated school from part-time to full-time.

My Department has approved 46 capital schemes for 24 schools in the grant-maintained integrated sector to the value of over £2.1 million. Vesting has also been completed at Roe Valley Integrated Primary School at a cost to the Department of almost £1.7 million. The Department has provided over £130 million in resource funding to grant-maintained integrated schools in the 2007-08 and 2008-09 financial years. My Department continues to fund the Council for Integrated Education to take forward the duty to encourage and facilitate the development of integrated education; its budget for 2009-2010 is £579,000. My Department also provides funding to assist schools with the additional pressures of the early stages of transformation to integrated status, and this year's budget is £247,000.

Figures show that there are year 8 places available for 98% of first-preference applicants to integrated schools for the 2009-2010 school year. The total of 1,983 first-preference applications exceeds only slightly the 1,946 places available. That demonstrates my commitment and that of the Department of Education to the implementation and delivery of that statutory duty.

**Dr Farry:** I thank the Minister for that detailed answer. Does the Minister accept that there is a difference between supply and demand in the integrated sector? Opinion polls regularly show that the potential interest in integrated education far outstrips the supply. Further to that, will the Department proactively try to encourage the integrated option as being the more likely to sustain local provision of primary schools particularly, especially in small villages around Northern Ireland, when difficult decisions have to be made about the rationalisation of the schools estate?

**The Minister of Education:** As I said, 98% of first-preference applicants for the integrated post-primary sector were successful, and I welcome that. Obviously, however, 2% of the applicants did not get their first preference.

The issue that the Member raises is not specific to the integrated sector; it is also an issue in the Irish-medium sector. There are popular schools in all sectors and, unfortunately, not all children will receive a place in the school of their first choice.

In reply to the Member's second supplementary question, it is very important that we have integrated schools and that our current schools integrate in a much more strategic manner. Activities such as area-based planning, the entitlement framework and working together across all the sectors are very important and in some cases will lead to the outcome the Member has outlined.

**Mr Storey:** For how much longer will the Minister continue to come to the House and display double standards and doublespeak? In fulfilling her statutory duty, the Minister is actually fuelling the inequality in our education system. Because of the Belfast Agreement, her Department has a statutory duty to promote the Irish-medium and integrated sectors. Surely, given the Minister's commitment to equality, is it now time for her to abolish that statutory duty and treat all sectors in the Northern Ireland education system fairly, which is something that she preaches to us in this House daily that she wants to attain?

**The Minister of Education:** I do not accept the allegation of double standards. I have put children and equality at the centre of every policy and I will continue to do so. There is a statutory duty in relation to Irish-medium and integrated schools, and perhaps the Member should ask himself why that was necessary. There is an issue regarding the treatment of the Irish-medium sector by some Members, though, thankfully, it is only a small minority.

Members should be careful with the language they use. People in glass houses should not throw stones.

**Mr Kennedy:** Let me try this stone: does the Minister accept that one of the defining features of the voluntary grammar schools sector is the diversity of the religious and cultural backgrounds of its pupils? Furthermore, does she accept that such diversity is a good thing and should be encouraged rather than demolished, as she continually seeks to do?

**The Minister of Education:** It cannot be said that grammar schools are the only schools that are diverse. Indeed, some of the greatest diversity that I have seen is in our secondary schools, and there are a greater number of free school meals children and newcomer children in secondary schools compared to grammar schools. Indeed, there is a very good secondary school in the Member's own constituency that offers diversity; therefore it is surprising that he has asked that question.

There is more diversity in some grammar schools than others, but, by and large, the greatest diversity exists in our secondary schools.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle Gabhaim buíochas leis an Aire as ucht an fhreagra sin. How will the Minister — más féidir léi an cheist a fhreagairt — fulfil the commitments of the Good Friday Agreement to integrated and Irish-medium education under the education and skill authority (ESA)?

**The Minister of Education:** As I do with all of the sectors, I take my duty in relation to the Irish-medium and integrated sectors very seriously. I am working with the chairpersons of the various organisations that represent the integrated sector: the education and

library boards; NICIE (the Northern Ireland Council for Integrated Education), which represents the integrated sector; Comhairle na Gaelscolaíochta, which represents the Irish-medium sector, and the youth sector. We meet on a regular basis and are having very good discussions about how we move forward with the ESA. Furthermore, I meet Gavin Boyd, the chief executive designate of the ESA, on a regular basis, and he, and the permanent and deputy secretaries of the Department, join me in all of the meetings with the review of public administration-affected organisations.

The Member will also be aware that the Department is examining all of the different arrangements under the ESA, and the Education Committee has carried out some very good work in relation to that. I look forward to continued work by, and engagement with, the Committee in relation to the ESA.

3.00 pm

## EMPLOYMENT AND LEARNING

### University and College Research

1. **Mr Hamilton** asked the Minister for Employment and Learning what progress is being made to increase the commercialisation of university and college research by 2010, in line with the Programme for Government target. (AQO 3024/09)

**The Minister for Employment and Learning (Sir Reg Empey):** The Programme for Government target is to introduce a new programme to increase the commercialisation of university and college research by 2010. To that end, and in line with our commitment in the Programme for Government, the Department established a pilot programme in 2007, which is being reviewed to inform the implementation of a permanent programme by April 2010.

Over the past two years, the Connected programme between the further education sector and the universities has delivered six major sectoral initiatives and more than 200 projects with individual companies, as well as having received a highly prestigious UTV Business Eye award.

**Mr Hamilton:** I thank the Minister, and I welcome the progress that he has reported. Although I welcome the commercialisation of research from our universities and colleges, in the light of proposed new academic plan at Queen's University Belfast does the Minister agree that a high value is, and will continue to be, placed on quality teaching and a great learning experience in our universities?

**The Minister for Employment and Learning:** I understand the principal purpose of a university to be the provision of a good teaching environment. We fund universities to ensure that they provide a proper higher-education environment for the students of Northern Ireland, as well as being open to national and international students.

I must tell the honourable gentlemen that we have, of course, been keen to improve research funding for the universities. He will recall that, before Christmas, I approved a number of projects that were aimed at improving research co-operation throughout the island, and my Department has recently allocated an increase of 7.7% to its overall, mainstream, quality research funding for the forthcoming academic year. We are clearly committed to research, but it is obvious that, as the Member said, teaching is the prime purpose of a university.

**Mr P Maskey:** Go raibh maith agat, a LeasCheann Comhairle agus a Aire. Is the Minister content that all his Department's commitments and targets in the Programme for Government will be met?

**The Minister for Employment and Learning:** All I can say to the honourable Member is that we are working towards them. I have no reason to believe, at this stage, that they will not be met. However, there is always a risk that the research and commercialisation that we are aiming for might slow down in the current economic environment. That is the only caveat that I would add. Nevertheless, the Programme for Government is explicit, and we intend to achieve its targets.

**Mr Cree:** How might the Department use the 2008 research assessments to allocate research funding to the universities in the coming years?

**The Minister for Employment and Learning:** My Department has sent letters of offer to both universities in the past few weeks in that regard. I have held back a small amount of research funding to enable me to exercise flexibility where I believe that an area of research is not being properly addressed. That said, the vast bulk of funding is being allocated, and, as I said, the increase to our overall, mainstream, quality research funding is 7.7% in the current comprehensive spending review period. That, together with the funding that I announced in December and January through Science Foundation Ireland, which conducts research in collaboration with several universities throughout the island, means that the university research funding position is much improved.

I am sure that Members will wish to ensure that our universities do not fall behind, as they did for many years, with regard to the amount of research that they do. The research assessment exercise (RAE) results that were announced some months ago were excellent for both universities. Therefore, we are moving

forward and improving our research base, which will be the genesis of many new jobs of the future.

**Mr A Maginness:** I welcome the Minister's answer, and I am certain that most people would agree with an increase in research and in research commercialisation.

Nevertheless, is there an attempt by Government to reduce the funding for universities and to use commercialisation as a method of reducing the percentage that they give to universities?

**The Minister for Employment and Learning:** Quite the reverse. Mainstream funding for universities has increased, including in the financial year that has just commenced. We will propose at least a 2% increase in the general fund and a significant increase in the research fund. However, I cannot address the comprehensive spending review period that will begin after 2011. We all know that we are moving into uncharted waters. Nevertheless, the Department has maintained an increasing flow of funds to our universities, which is consistent with the wishes of the House.

### **Queen's University Belfast/Stranmillis University College: Proposed Merger**

2. **Mrs Hanna** asked the Minister for Employment and Learning whether both his Department and the Department of Finance and Personnel have received the business case for the proposed merger of Queen's University and Stranmillis University College; when it will be shared with the Assembly Committee; and whether the delay in producing a business case impacts on the viability of the merger proposal.

(AQO 3025/09)

**The Minister for Employment and Learning:** A final version of the business case for the proposed merger of Queen's University and Stranmillis University College has been submitted and is being considered by officials in my Department. The document has not yet been forwarded to the Department of Finance and Personnel. The business case will be made available to the Committee for Employment and Learning once it has received internal approval from my Department, subsequent approval from the Department of Finance and Personnel, and from me. The viability of the merger proposal is dependent on the business case meeting Her Majesty's Treasury's green book standards and other policy considerations, rather than on how long it has taken to be submitted.

**Mrs Hanna:** Was the Minister surprised at the lateness of the submission of the business plan? I do not know whether he can speculate about the reason for that, but would that matter cause him to have second thoughts about the merger?

**The Minister for Employment and Learning:** The draft business case was submitted to my Department in the late autumn of last year. The Department has been examining it and talking to the consultants who have, in turn, been talking to their clients, and we have been challenging a number of issues. The Department did not consider that the draft business case, as submitted, was adequate to go forward with a recommendation to the Department of Finance and Personnel. Therefore, that process has resulted in the length of time that it has taken. However, I have made it clear on many occasions that it will take as long as it takes. As far as I am concerned, the process is clear: the business case has to be approved by my Department first; it then goes to DFP, before coming back to me for a policy assessment by my Department. That process takes whatever length of time is necessary. I cannot and will not hurry the process, and neither will I short-circuit any subsequent legislative processes that may emerge.

**Mr Ross:** I understand that, in many aspects, the business case did not meet the green book standards. I have been contacted by a number of constituents who have expressed concerns that, despite assurances from —

**Mr Deputy Speaker:** Mr Ross, may we have your question please?

**Mr Ross:** Despite assurances from Stranmillis about the merger, Queen's University's new academic plan suggests that a number of academic staff could be made redundant — anywhere up to 150 staff. Will the Minister assure the House that, should the proposed merger go ahead, there will not be redundancies on a huge scale?

**The Minister for Employment and Learning:** The Member is straying into a separate issue. However, I understand the relevance of that matter. It is not for me to give undertakings on behalf of Queen's University Belfast or anybody else. I have set out the process many times. I will not assess the proposal from a policy standpoint until a robust business case has been approved by my Department and by the Department of Finance and Personnel, at which time I will make an assessment.

The Member will also be aware that the Committee, and, if there is a positive recommendation, the entire House, will have an opportunity to debate all the issues to which he referred. I am, of course, aware of the particular immediacy of his point, but it is not my job to give assurances on behalf of Queen's University.

**Mr McCallister:** What stage has the study that St Mary's University College commissioned on strategic options reached?

**The Minister for Employment and Learning:** It seems that we are moving into another issue. All I can say on that is that, in addition to conversion funding, in the past academic year, I offered St Mary's some funding to carry out some strategic work. My understanding is



that that work is at an advanced stage. I have not had sight of a report; it has not been submitted to me, but I believe that the college is considering it. No doubt the college will make its own assessment, and if any matters arise from that, I have little doubt that they will be drawn to the attention of the House or the Committee in due course.

### **Apprenticeships: Company Uptake**

3. **Mr McKay** asked the Minister for Employment and Learning how many companies have agreed to provide apprenticeships. (AQO 3026/09)

**The Minister for Employment and Learning:** Apprenticeship training is delivered through some 50 training organisations, and there are now 1,256 apprentices in training. All those apprentices are employed. Although a small number of our larger employers run sizeable apprenticeship programmes each year, in general, apprentice numbers for each employer will be fewer than five, with over 3,000 employers involved.

**Mr McKay:** I thank the Minister for his answer. At the current time, many apprentices in many different industries, particularly in manufacturing and construction, are losing their jobs at a critical stage in their career development. What support will be given to those individuals?

**The Minister for Employment and Learning:** I am sorry that the Member was not available for all of the debate this morning. The House has debated apprenticeships on a number of occasions, and I know how important the subject is to many Members.

I introduced a scheme to try to cope with the situation. Through that scheme, apprentices in three designated areas can avail themselves of alternative options if their employment is terminated. If the apprentices are aged between 16 and 18 years old, it will involve their working in a simulated work environment; that is, they would be able to continue to work towards a qualification, but they would probably use a further education college as a base. They could also go on the Steps to Work programme to enable them to continue with some training. That means that that cover exists in those designated areas.

I also announced that from 8 June, through the Skillsafe initiative, apprentices who are put on short-term working can avail themselves of additional training that an outside supplier provides and that the Department pays for. They will also be given an allowance to make up for the wages that they lose. That option is now applicable. I also made an announcement this morning about programme-led apprenticeships that will apply from September. Those will deal with young people who are leaving school

and who may not be able to get employment as apprentices because of the current economic downturn.

Therefore, my Department is doing all that it can to help those apprentices, particularly as this is such a topical issue. I know that many Members are especially concerned that those young people do not lose the opportunity to retain and obtain qualifications, that time is not wasted, and that, if they have spent a couple of years working on apprenticeships and are then thrown out, that is not a lost period. We are trying to avoid that as far as possible. If there is a need to vary and expand the categories that are covered by those schemes, I will be happy to consider that.

**Mr Shannon:** I thank the Minister for a very helpful response. Has the Minister's Department had any discussions with, for instance, the construction industry about those who will be looking for placements when they leave college in June? The construction industry is particularly important in the area that I represent, the Strangford area, and I suspect that that is the case in many other areas.

Will the Minister assure the House that discussions have taken place between his Department and the construction industry to ensure that people who leave college in June will have a placement in September?

3.15 pm

**The Minister for Employment and Learning:** I would love to be able to say that placements can be guaranteed, but the reality is that the economy faces severe problems, particularly in the construction industry. Not only is the Department in regular contact with the construction sector, it has the sector skills councils, the Construction Industry Training Board and a plethora of people looking at the issue.

If they visit their local job centres, Mr Shannon and other Members will know that the number of construction vacancies is practically nil. It is extremely difficult to get a placement in that sector. That is one reason why we introduced the alternative option for apprentices to have a simulated work environment. That is the best and closest substitute that the Department can provide currently, but the programme-led proposals will probably have at least a one-day placement.

I am conscious of the Member's interest in the matter, but we would be less than honest if we were to say that we could guarantee placements. Many employers are having great difficulty and that is why, as we discussed in an earlier debate, we are hoping to widen the programme out to involve the public sector, Departments and major public bodies to try to spread the load.

In addition, the Minister of Finance and Personnel is working on a scheme for construction projects in which so many apprenticeships will be deemed necessary for each £1 million worth of public contracts. We are



trying to address the issue, but it would be misleading to tell the Member that everything is sewn up and we can guarantee the placements. Placements are proving to be difficult to find, particularly in construction.

**Mr Kennedy:** What success has there been in increasing the number of women apprentices and older apprentices?

**The Minister for Employment and Learning:** I am pleased to say that we have enjoyed considerable success in that area. I think that we have the largest number of female apprentices ever and since apprentices from all ages started to be recruited, the number of older apprentices increased substantially. We can be happy that we are moving in the right direction in both those areas.

My main concern is that this is the end of the school year, and many young people will be coming out of school in the next few weeks. My proposal for programme-led apprenticeships is specifically designed to address the harsh economic environment. An apprentice has to be employed and, in many cases, it is not possible to employ apprentices through an employer-led scheme. Consequently, the Department must intervene and utilise the whole public sector. I shall approach ministerial colleagues for help on that issue. We have made significant progress in the areas of gender and age, and I know that the Committee for Employment and Learning welcomes that.

### Training Allowances

4. **Mr Neeson** asked the Minister for Employment and Learning for an update on the joint proposal by his Department and the Department of Enterprise, Trade and Investment to provide training allowances to companies facing economic difficulties.

(AQO 3027/09)

**The Minister for Employment and Learning:** On 26 May 2009, I announced in the Assembly details of my Department's new Skillsafe provision. The Skillsafe scheme came into effect on 8 June 2009, and it focuses on apprentices who have been placed on short-time working in the manufacturing and engineering sectors. The scheme is intended to ensure that the apprentices' downtime is used effectively through the provision of accredited training, for which the apprentice will receive a training allowance.

Since going live on 8 June, 14 organisations have made enquiries to the Department using the assigned email address and the dedicated telephone number. Three applications are being made as a result of those enquiries. My Department worked closely with the Department of Enterprise, Trade and Investment to ensure that the provision would implement any strategies that are being worked on by that Department.

**Mr Neeson:** I thank the Minister for his response. Will he ensure that large and small companies will benefit from the scheme, and will he explain how the funding will be provided, bearing in mind that it involves both Departments?

**The Minister for Employment and Learning:** The Member knows that the vast majority of our companies are small. It is part of the problem that many SMEs do not avail themselves of the opportunities to have apprentices. That is one of our biggest problems.

The financing of this scheme is in two components. In the first part, where an apprentice is put on short time, we will pay for a training provider to upskill that individual. The apprentice will still be employed by the employer on a contract, which will not be changed, but there will be short-time working. During the downtime, that person will be upskilled or enabled to complete the processes towards a qualification. We will pay the training provider, so that will be at no cost to the employer or the employee.

In the second part of the finance, we will pay a training allowance to the individual apprentice equivalent to the minimum wage and irrespective of the age of that apprentice. As the Member knows, the minimum wage is tiered; less is paid to younger people, more to those who reach a threshold. We will pay the threshold figure irrespective of the age of the apprentice. That will go directly to the employee, so the company will not be directly involved, but the training provider and the employee will be.

That is how the scheme will be financed, and I am confident that it is entirely consistent. We worked closely with the Department of Enterprise, Trade and Investment on this and we have a joined-up approach.

**Mrs D Kelly:** Thank you for your answer, Minister. This is a useful initiative. Will the scheme be offered to businesses that continue to succeed during the recession? Those training allowances could build on the success of those firms, increase business and contribute to the creation of future jobs.

**The Minister for Employment and Learning:** As I indicated at the time, we are working on that. I wanted phase two of the scheme to be rolled out to SMEs in particular.

The Member will realise that we can quantify with reasonable accuracy the number of apprentices who are around and the potential liabilities. I said in the debate at the time that between £6 million and £7 million would be the extent of our commitment. However, if we rolled it out to the whole of business and industry, we could be talking about tens of millions of pounds, perhaps £60 million or £80 million. Contrary to what some people think, that sort of money is not just lying around. I made a bid in the June monitoring round for additional assistance in the

rolling out of the scheme. The Executive will meet this week, and I will know then whether I will get a response.

I am encouraged that I can count on the 100% support of all these Members. If we get the resources, it will be my pleasure to return to the House and roll out the scheme to major businesses and to the small and medium-sized enterprise sector, which is where we want it to be. It is a very expensive process, and I need resources.

**Mr Beggs:** I welcome the commencement of the Skillsafe scheme. Will the Minister outline the reasons for his decision to concentrate on assisting manufacturing industry and, in particular, engineering and tradeable services?

**The Minister for Employment and Learning:** To us, it seemed the sector most vulnerable and facing the greatest number of redundancies. The Member knows that in his constituency and in others, companies such as F G Wilson, Wrightbus and Michelin, and a large number of other smaller manufacturing and engineering companies, up and down the Province, have been shedding labour. I have also indicated that we would look again at that classification if we could clearly establish the need. That is our starting point. Just as we indicated on apprenticeships that we designated three areas that we would consider, such as the automotive sector, we said that we would look at other areas if we felt it was necessary. That is our position at present. If there were clear evidence that that needs to be broadened, I would be prepared to look at it.

**Mr Deputy Speaker:** Question 5 has been withdrawn; Mr Ford is not in his place for question 6; Mr Dominic Bradley is not in his place for question 7; and question 8 has been withdrawn.

### **Apprenticeships: Increased Uptake**

9. **Mr McNarry** asked the Minister for Employment and Learning to outline the progress made by his Department in meeting its targets for increasing the numbers in apprenticeship training. (AQO 3032/09)

**The Minister for Employment and Learning:** As I stated in my response to question 3, the Department exceeded its target of having 10,000 apprentices in programmes by March 2010. The introduction of level 2 apprenticeships in September 2007 and all-age apprenticeships in September 2008 have made a significant impact this year. They have also provided the opportunity for those working reduced contracted hours to avail themselves of apprenticeships. That resulted in an increase in female participation, which now stands at 41% compared with the historical trend of 30%.

**Mr McNarry:** I thank the Minister for his answer. Is he aware of any evidence that suggests that the extension into the 25-plus age group has displaced younger apprentices?

**The Minister for Employment and Learning:** I am not aware of any such evidence. Changing any process will involve some risk. Uptake has been so significant that pent-up demand clearly existed. As far as I am aware, there is no evidence to suggest that younger apprentices have been displaced. Of this year's intake, 2,900 — 49% — were aged 25 or over. Recruitment has increased overall; however, the percentage of under-25s applying is down, which is more than likely due to the recession. At this stage, there is no evidence to suggest that displacement has occurred and that the new competition is working against younger apprentices.

**Mr Dallat:** What advice is available to people seeking apprenticeships who wish to develop skills in sunrise rather than sunset industries?

**The Minister for Employment and Learning:** I understand where the Member is coming from: our record in determining the difference between sunrise and sunset industries has been mixed. I regard many industries in this country as traditional, and I do not think that we should abandon them. We all saw where the dash to finance got us. Having a good broadly based range of skills is valuable.

One of the mechanisms that we must use is the Careers Service. It engages with schools and has facilities at jobs and benefit offices and at our new pilot schemes in high streets, where people can go to get advice. During today's debate on apprenticeships, Members discussed the image and status of apprenticeships. All of us have a role to play in trying to improve that image. We can do that by going into schools and by motivating employers to join with us in doing so. That will raise the status of apprenticeships in a positive way. I encourage people to avail themselves of the Careers Service.

3.30 pm

## Question for Urgent Oral Answer

### Queen's University Belfast: Redundancies

**Mr Deputy Speaker:** The Speaker has received notice of a question for urgent oral answer under Standing Order 20A to the Minister for Employment and Learning.

**Mr Attwood** asked the Minister for Employment and Learning whether he intends to hold urgent discussions with Queen's University Belfast (QUB) in advance of this week's meeting of its senate, which may approve plans to make up to 300 staff redundant on the grounds of a possible 10% cut in Government funds from 2011-12, when no such information has been communicated to QUB by its primary Government funder, the Department for Employment and Learning.

**The Minister for Employment and Learning (Sir Reg Empey):** I have no plans to meet Queen's University Belfast in advance of this week's meeting of its senate. However, senior officials in my Department received a high-level briefing on 18 June. I understand that if approved by the senate, the details of the academic and financial plan will be shared with the Committee for Employment and Learning at a special hearing immediately after the senate meeting.

**Mr Attwood:** I thank the Minister for his attendance.

**Mr Deputy Speaker:** Order. I ask that Members take their seats.

**Mr Attwood:** I thank the Minister for his attendance.

According to leaked information, Queen's University is relying on what it calls "informed sources" that suggest that its funding from Government will be cut by 10% by 2011-12. The Minister of Enterprise, Trade and Investment spoke in the Assembly on behalf of the Department of Finance and Personnel and said twice last week that no such information had been given to Queen's. Last week, senior officials from the Department for Employment and Learning advised a Committee that no such information had been given to Queen's. It appears that Queen's intends to rely on those "informed sources" to make up to 300 people redundant under the scheme.

Given those facts, is it not appropriate for the Minister or his senior officials to advise Queen's that it has no grounds, on the information from the funding authority in the North, to propose up to 300 redundancies? Does he agree that, as those informed sources are not from the Government, it is highly questionable — to put it mildly — to proceed with those proposals?

**The Minister for Employment and Learning:** Neither my Department nor I have provided any information to any higher education institution to the

effect that funding sources will be cut by 10% in years subsequent to 2011. I do not have such information; I simply do not yet know the outcome of the comprehensive spending review period for 2011-14.

People can speculate and consider what is happening to universities in England; however, our funding mechanism and funding choices are different from those made in England. Consequently, I cannot support or stand over any information that indicates a 10% cut after that date. The Chancellor's Budget statement signalled a national cut in capital expenditure after 2013. However, I am unaware of any basis for the assumption that there will be a 10% cut in general funding for either of our universities after 2011.

**The Chairperson of the Committee for Employment and Learning (Ms S Ramsey):** Go raibh maith agat, a LeasCheann Comhairle. As the Minister knows, the Committee will hold an extra Committee meeting tomorrow to examine the issue. With that in mind, does the Minister agree that it would be better for Queen's to talk to him, the Department and the Committee rather than delay issues and allow them to leak to the press to cause confusion and concern? Does the Minister think that it does not bode well for the assurance that Queen's gave him and the Committee that jobs in Stranmillis would be safe in the event of a proposed merger?

**The Minister for Employment and Learning:** I gave a factual answer to the question: I cannot predict the funding scenario. However, I know that the Committee is extremely concerned and that it has asked the vice chancellor and colleagues to visit it tomorrow. The Member will have an opportunity to question him then.

I am aware of the Stranmillis issue. Stranmillis is a teaching institution, and the leaked information appears to suggest a clear emphasis on research at the expense of teaching. Both are essential. The assurances given by Queen's to people at Stranmillis will form part of any judgement that we make on the advisability or desirability of a merger, assuming that the business case stands up. Therefore, we will have the opportunity to assess the matter ourselves. I have seen and heard comments in the press and elsewhere about the concerns that have been raised.

All that I can tell the Member is that Queen's University has not been given any information or indication that would lead it to take decisions on the basis of anything that we have said. As far as I am concerned, the primary purpose of, and the reason why we fund, a university is to provide higher education, primarily for students in Northern Ireland. That must mean a high-quality teaching environment.

Research is part of university life; it is part of economic development, and it is absolutely essential. I will not take away from that, and I have made it my

business to grow the amount of money that is available for research. However, that money is made available in addition to teaching; it is not, in my opinion, made available instead of teaching.

## COMMITTEE BUSINESS

### Egan Contractors

#### *Debate resumed on motion:*

That this Assembly calls on the Minister for Social Development, in view of the adverse economic impact suffered by the employees of Egan contractors, to increase the budget allocation for decent homes and related programmes; and to ensure that future communication with contractors complies with Egan principles. —  
*[The Deputy Chairperson of the Committee for Social Development (Mr Hilditch).]*

**Mr Molloy:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to support the motion, which calls on the Minister for Social Development to increase the budget allocation for the decent homes programme and for related improvement and replacement grants.

This is an important issue, especially with regard to opportunities to increase employment, particularly in the construction industry. Another concern is that elderly people are affected by the unavailability of grants for homeowners and Housing Executive tenants. The situation is particularly difficult for homeowners who submitted grant applications some time ago and are being told that although they are entitled to a grant, there is no money available. A 78-year-old constituent of mine, who is entitled to disability living allowance and home repairs because of her disability, has been told, after two years, that the grant will not be payable. The doors and windows in the house are unsafe, yet my constituent is expected to continue to live there.

It is important that replacement grants, which would raise the standard of housing, particularly in rural areas, be continued. People have been turned down for those grants, with a standard letter from the Housing Executive simply saying that there is no money in the budget and that they are not entitled to the grant. Some people have gone to the expense of consulting architects and having plans drawn up, yet now they find that no grant is available and nor is there any recompense. We must examine that situation and ensure that people receive their entitlements.

Is the Department for Social Development not obliged to fund grant applications under article 36 of the Housing Order 2003 to improve and repair homes? The Egan contracts were one way to improve the contracting process and building partnership arrangements among suppliers, contractors and the Housing Executive. They ensured a better quality of contract, a steady supply of labour —

**Mr A Maginness:** The Member misunderstands the nature of the Egan contracts. They are not intended for grant aid for private homeowners, elderly or otherwise. The Egan contracts are directed largely towards



improvement and maintenance of Housing Executive properties. The Member's assumption is, therefore, incorrect and does not properly reflect the substance of the motion.

**Mr Molloy:** If the Member had waited, he would have realised that I was about to deal with the Egan contracts in particular. To someone who lives in a house that is in need of repair, it does not really matter whether the grant comes by way of the Egan contracts. The Department is refusing those people a grant and is telling them that the money to improve their homes is not available. The Egan contracts were one way to ensure that we had quality contracts, a steady supply of labour and guaranteed employment. They ensured the quality of repair and maintenance of Housing Executive properties. The contractors needed long-term contracts for continuity of supply and to keep employees in jobs so that they could carry out the contracts.

All those factors have to come together. Paddy McIntyre, the chief executive of the Housing Executive, has caused confusion by saying that, on the one hand, some contracts will continue but that, on the other, some contracts will be discontinued.

There is no guarantee for employers and contractors that they will have contracts next month or next year. Last year, right on the edge of Christmas, they found that contracts were stopped with no guarantee that they would be restarted. Only after lobbying by MLAs and others were those contracts restarted, and people got the repairs that they needed.

The Chancellor in his December statement, along with economists and advisers, highlighted that one of the best ways of trying to create employment and regenerate areas is through construction. If the Egan contracts are not put in place, there is no guarantee that those contractors will be able to maintain employment or create the necessary regeneration. The stop-start approach of the Department and the Housing Executive over the past 12 months has been unsteady for employers and has created insecurity for employees who are not able to plan ahead.

There are 1,150 vacant homes in the Housing Executive's stock that need to be repaired before they can be rented, but the Housing Executive is not dealing with that issue or making attempts to ensure a steady stream of labour.

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

**Mr Molloy:** The Minister is adding to the construction crisis by not guaranteeing those jobs.

**Mr Shannon:** I support the motion. Every Member involved in constituency work is well aware of the Egan scheme, whereby workmanship and efficiency are guaranteed when contractors seek long-term

contracts and keep their end of the bargain. I have visited many homes in my constituency where kitchens that were over 20 years old have been replaced. Those kitchens were installed to a high standard, and are compact and well finished. I defy any contractor to do as good a job. Constituents have told me that the workers left their homes clean, tidy and in a fabulous state when the work was finished. The contractors deserve praise and recognition for that.

The Egan scheme is succeeding on that front. It seems to be working. When there are problems, the contractors come back within a reasonable period to see to them. That was the aim of the scheme when it was proposed some time ago. There have been teething problems; it was not all plain sailing, but a good system has been found that provides value for money and good workmanship. When the scheme was rolled out, it was recognised that the first year's programme would not be worth the full annual value because it had to allow for the running out of existing contracts.

Hooiniver, efter thon, hoosin schemes athwart the Province saen waark done bit bae bit tae bring hooses ap tae a guid stannart an' thon waarked weill 'til 12 Decemmer 2008 quhan the Hoosin Executive toul the fower contractors at thair wudnae bae onie stairts i Janwerry or Februrie 2009. Es A'hm shair ithers amang ye at waark oan the grun wur, I wus gat oantae bae contractors an' toul' quhat wus gaein oan, an' A wus scunnered at fundin' wud bae tuk fae a scheme at wus daein the business sae weill.

However, after that, housing estates throughout the Province saw work done in phases to bring homes to a decent standard. That was working well until 12 December 2008, when the Housing Executive notified the four contractors that there would be no new starts in January or February 2009. I was contacted by contractors who told me what was happening, as I am sure were other Members, and I was dismayed that funding was to be taken away from a scheme that is doing the business so effectively.

At that point, my colleague Nigel Dodds stepped in and offered some money. The contractors and suppliers were becoming concerned about the funding of the contracts in 2009 and 2010. It was emphasised to the Minister that those repair and maintenance contracts offered the best method of maintaining value-for-money employment for every pound spent. There was a concern that any additional funds that were obtained would not be ring-fenced for repair and maintenance contracts. I could go into further detail, but other Members have already done so.

Having read the information from the contractors, it seems clear that the way forward is not to end those contracts, but to continue with them in the interests of better use of funding and long-term value for money.

3.45 pm

I was given an illustration that seems to provide the best example of that. The full Northern Ireland Housing Executive programme should install 4,500 new kitchens and carry out external cyclical maintenance (ECM) work to 9,500 dwellings. The Housing Executive has 90,000 dwellings, and 4,500 kitchens per annum would take 20 years to complete. The Housing Executive estimates that the life of a kitchen is 15 to 20 years. The full programme, therefore, enables the Housing Executive only to stand still. However, ECM work at the above rate would be completed in a 10-year cycle.

Information that was recounted to me paints a clear picture, namely, that investment by the Department in the full programme would secure 800 jobs as well as complete kitchen replacement and planned maintenance to 9,500 homes. There are 1,150 vacant Housing Executive properties that cannot be rented because of minor repairs or major improvement works that need to be carried out. Those properties could be repaired at a fraction of the cost of a newbuild and still remain in public ownership.

According to the Ards district housing plan for 2009-2010, the Housing Executive schemes that will lose out this year are multi-element improvements for Newtownards, pre-adaptation repairs and environmental improvement. I have been involved with that environmental improvement scheme for about seven years, and it is still no further ahead. There are 200 houses in the improvement scheme, and 355 for planned maintenance. I am very much concerned about that.

I ask the Minister to take account of the contractors, suppliers and Housing Executive tenants who pay their rents weekly.

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

**Mr Shannon:** I have said before, if it ain't broke, don't fix it. There is a slight twist today: it is broken, and we ask the Minister to fix it.

**Mr A Maginness:** The assumption in the motion is that it would be non-partisan, non-party political, politically neutral and in support of the Minister for Social Development, Margaret Ritchie, in her quest to gain new finance for the housing programme. That is the substance of the motion as far as I am concerned, and that is what the SDLP wants to see. However, some Members are exploiting the motion to criticise the Minister, and using the housing crisis to attack the Minister's approach to advancing newbuild social housing. The Minister stated clearly that that is a priority for her and her Department, as well as supporting the warm homes scheme and the supporting people programme. The Minister has, therefore, selected certain priorities in the context of a quite unsatisfactory

situation in which the Department is not given sufficient finance to do what it is mandated to do.

Clearly, housing finance is in crisis. That is not the fault of the Minister, DSD or the Housing Executive, but of the economic recession. There is a £100 million shortfall for housing this year, and probably next year, too. Housing is too important to be financed on a crisis-management basis. It needs to be put on a sound financial basis, and the Minister has repeatedly called for that. Housing cannot be drip-fed from the uncertainties of quarterly monitoring rounds. Therefore, I call on the House to support the Minister in her quest for new money for the total housing programme, which includes the Egan contracts. It is important that the Minister is supported in that.

The Minister must operate with the money that she has. She cannot magic new money, and she has had to select priorities, which are, as I said, based principally on newbuild. Is it better to build a new house or install a new kitchen?

That is a very simple proposition. The house building programme will help to stimulate the economy and get us out of recession by maintaining and increasing employment and construction. That is very important, and I agree with my colleague Thomas Burns that new money is essential.

Anna Lo pointed out that the Egan contracts are a casualty of the hand-to-mouth approach to the funding of housing. We need a non-partisan approach in which we ask the Department of Finance and Personnel to provide the funding that is crucial to the interests of all our people. It is difficult for us to support the motion when people on some Benches are criticising the Minister for Social Development. We cannot support a motion that is being used by some people as an opportunity to attack the Minister and her approach. The problem is not the Minister's approach; the problem is the lack of finance.

The £110 million that the re-phasing of the Royal Exchange project will bring to our Exchequer provides us with an opportunity. Can we not use that opportunity to advance housing? Can we not use that money usefully?

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

**Mr A Maginness:** That could help to remedy the problems that the motion has highlighted. I will abstain in the vote on the motion.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a thabhairt don rún, agus tá mé ag rá an méid sin ón tús.

I support the motion. Alban Maginness accused other MLAs of making political speeches. I cannot think of anywhere more appropriate to make a political speech than Parliament Buildings at Stormont. He also

asked whether it is better to build a new house or put in a new kitchen, but one Egan contractor has described that question as very unhelpful. Indeed, it merely echoes the statement that the Minister issued on 26 March, which effectively told employees that they could be laid off.

The motion is about helping the construction industry. Last summer, a number of MLAs, including some from the SDLP, attended various meetings in Toomebridge and Cookstown that were aimed at helping the construction industry. We spent a lot of time listening closely to the construction and property group, and an all-party group on the construction industry was formed in the Assembly. Both groups emphasise the importance of the Egan contracts being honoured.

A variety of Members outlined the context of the debate. The motion refers to the adverse economic impact that is suffered by the employees of Egan contractors when the Department stalls or reverses on commitments to carry out much-needed housing stock repairs. The construction industry needs greater certainty and greater stability, and Egan contractors are major employers who provide meaningful employment. Does the Minister appreciate the central importance of the construction industry to the rural economy, for example? The construction industry is of major importance west of the Bann.

I am aware of the importance of longer-term contracts for kitchen and bathroom replacements and other external maintenance work. We were told that the way forward was co-operation between the Housing Executive, contractors and suppliers at predetermined rates and costs.

This relates back to Alban Maginness's question, but I am struck by the fact that people have to decide whether it is best to build a new house or to install a new kitchen. I am also struck by the fact that 1,150 vacant Housing Executive properties cannot be rented because minor or major improvement works need to be carried out on them.

Therefore, I emphasise that there is an urgent need for the Department for Social Development and the Minister to recommit to that type of work. Does the Minister agree that upgrading public authority housing to meet the decent homes standard should be prioritised to maintain employment in the construction industry and to release more housing stock for rental? How much priority does the Minister attach to such improvement work? What priority does the Minister attach to creating opportunities for new employment and for the retention of jobs in the construction industry at this time?

I have a list of schemes that have been suspended in the Omagh District Council and Strabane District Council areas. That has caused great inconvenience to

local Housing Executive tenants and has created difficulty for major employers in the area.

Danny Kennedy intervened during Michelle McIlveen's contribution at the start of the debate, and the tone of what he said was followed up by Francie Molloy. They introduced a second, but related matter, which is the crisis that has arisen with Housing Executive repair, renovation and replacement grants. Later this week, I will meet senior Housing Executive officials in Omagh to try to change the situation whereby many applications are being closed or cancelled. I would like the Minister to provide some guidance on that in her response.

**Mr O'Loan:** I welcome the debate on this important issue, and I am pleased to be able participate in it. However, I do not altogether welcome its tone. I have spoken at great length to the Egan contractors; I understand their position well, and I am very sympathetic to it. They have made it clear to me that they do not want their interests to be used as a political football. However, if they are listening to the debate, I do not think that they will be at all pleased with many of the comments that have been made, and they will not regard them as being constructive in leading to assistance being given to them. Although Members need to be aware of that, many have not been.

The wording of the motion could have been interpreted positively. We all want to give assistance to the Egan contractors, and we want the Minister for Social Development to be in a position to be able to do that, but the issue is fundamentally about having the resources available. In that sense, the wording of the motion is not complete, but its sense could have been conveyed clearly by Members' contributions. Therefore, the debate has been handled in a number of unfortunate ways.

At the outset, Mr Hilditch referred to the principles that underlie the Egan process. The Committee provided a report to the Assembly today that states that the construction industry needs to replace competitive tendering with long-term relationships. It goes on to say that the whole Egan approach was intended to give the contractor more security and that the long-term partnership with contractors included no absolute guarantee of work in any particular year. Of course, that is true, but the whole concept was about having a long-term arrangement whereby contractors would know where they were going, the degree to which they would need to upskill their labour force, take on more labour, and invest in their machinery. Indeed, many of them have done that. All that requires a dependable flow of funds so that the understandings that the contractors have entered into with the Housing Executive can be realised, even if they are not contractually binding. Given the shortage of money, much of that has not happened.



Members will have received a news release from Mr Peter Wallace, who is the chief executive of the Contractors Insurance Guarantee Services Ltd.

I take that to be one particular firm. He presents himself as speaking for a number of contractors who are involved in construction schemes related to private-sector housing grants. I do not think that there is one body representing such a section of the construction industry, therefore it is unclear for whom he speaks. He argues that money should be transferred from newbuilds to housing grants. I am not aware that the Egan contractors were involved in that piece of correspondence, but if that is the case then I will be disappointed, because that was not the tone that they adopted with me. It is bad and unhelpful for one section of the industry to be vying with the other. I note that Mr Wallace states that funds are available, and perhaps some people honestly believe that. However, they must simply be told that funds are not available and that the genuine deficit of approximately £100 million in the housing budget this year presents a significant problem.

4.00 pm

The Minister has done much with her budget this year. Her investment in social housing, with some 1,750 housing starts, was on a level never seen before, and she provided major funding to the warm homes scheme. All that investment creates major contracts for which businesses throughout the construction industry have the opportunity to bid. The critique that was released did not reflect that.

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Mr O'Loan:** A shared approach should be adopted across the Assembly, including the Department of Finance and Personnel. In the long term, housing should be put on a secure and permanent financial footing.

**Mr Attwood:** I concur with my colleague Mr Declan O'Loan; I too have a concern about the colour of some comments made during the debate. I also agree with Mr O'Loan that, if we filter out the fog created by such comments, an essential opportunity faces the Assembly. We must shape up or, for want of a better phrase, shut up. I will explain what I mean by that.

Six months ago, affordable social housing was not fully acknowledged as a priority politically or operationally in or outside the Assembly. However, over the past six months, the sands have shifted. At a meeting of the Executive in December 2008, the DUP and Sinn Féin declined to endorse the recommendation from the DSD Committee and Minister that money from the non-housing budget be reallocated to housing, which was unfortunate. That missed opportunity must not be repeated now.

In the past six months, people have learned. In January 2009, Nigel Dodds said, in a graphic and elaborate way, that the failure to build affordable social housing had a disproportionate impact on the construction industry. Those were his words; not the Minister's or mine. At that moment, Nigel Dodds accepted that, contrary to what had happened in the previous month, unspent moneys from the DSD's budget could be reallocated to housing.

The DUP has a simple choice to make this month, next month and in the months until the September monitoring round: will it now live up to that principle and accept that the failure to build houses or deal with housing issues has a disproportionate effect on the construction industry? In September, will the DUP rectify the error that it made in January?

Sinn Féin has also begun to adjust its position: on behalf of his party, Fra McCann said that, if moneys become available from the Royal Exchange project, they should be reallocated to housing.

Is Sinn Féin prepared to tell its Ministers that it wants every penny farthing of the £110 million of unspent moneys, no small sum when it comes to quarterly returns, to be spent on social housing and on housing need in general? Such warm declarations cannot be made in the Assembly unless voting in the Executive is consistent with them. It is time to shape up or shut up.

Smyth and Bailey argued that the multiplier effect of newbuild housing would uplift the economy in general and would be the single best way to spend a taxpayer's pound in a recession-hit area. When that argument has not been proven in any other single stream of public funding in the Northern Ireland Budget, there are consequences that must be acknowledged by the Executive parties, including the DUP and Sinn Féin.

Therefore, rather than score political points, which I could do, the simple issue is that six months ago, the DUP and Sinn Féin turned their faces against the Minister's argument for social housing newbuild and social housing need in general. Six months later, we have the Smyth/Bailey report, the letter from Nigel Dodds, and the declaration from Sinn Féin about how quarterly returns should be spent on social housing. Will the DUP and Sinn Féin, at the Executive table this month —

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Mr Attwood:** Will the DUP and Sinn Féin, this month and in the months up to September, live with the inevitable and compelling conclusions and implications of those declarations? Time will tell.



**The Minister for Social Development (Ms Ritchie):** I thank all the Members who contributed to the debate. I welcome the opportunity to respond to each of the contributions, not least because it permits me to clarify and to correct some of the issues. I will, of course, try to address all the questions and points that Members raised. I will study the Hansard report and write directly to any Member on issues that are not covered in my response.

Members are aware that the sharp downturn in land and house sales has led to a £100 million shortfall in the housing budget for this year, which has affected all spending programmes, including maintenance. Unless more resources are allocated, the same problem will arise next year.

Difficult decisions have had to be made about the allocation of limited resources, with available funding directed to priority programmes and to existing commitments. My priority must be to protect vulnerable households. Therefore, first, in order to protect households facing fuel poverty, I have protected the budget for the warm homes scheme; secondly, to help people to live independently in the community rather than in institutions, I have protected Supporting People; and, thirdly, the newbuild programme has been protected to help people in acute housing stress and the homeless.

As Social Development Minister, I make no apologies for standing up for the most vulnerable, and I believe that the Committee for Social Development and the House should make the same call.

In addition, current market conditions are more suited than ever to increase investment in social housing in order to stimulate the economy, to protect jobs in the construction industry and, as my colleague Mr Attwood said, that view was verified in the recent report by the University of Ulster, which also pointed out that, in a failing market, the circumstances exist to secure excellent value for money in social newbuild. Sites cost less and construction work is increasingly keenly priced.

Members will be aware that, although my principal contention is that the shortfall in the housing budget must be made good — housing must be put on a proper financial footing — we must also extract the maximum possible return from the resources that we have. That is why I have taken a number of steps in the area of newbuild, such as building more on land that we already own and bringing in more private finance so that we get the maximum bang for our buck. I am taking a similar approach to housing maintenance.

Recently, I commissioned a leading property surveying firm, Savills, to carry out a major house condition survey of Northern Ireland Housing Executive stock and to advise on its overall maintenance strategy. A study of such depth is unprecedented. I recently

received Savills's report, and, although I am studying its findings and considering their implications for the Housing Executive, I am happy to share one or two of its headline conclusions with the House.

The Savills report concludes that Housing Executive stock is by far the best housing that it has ever seen or inspected throughout Great Britain and Northern Ireland. The Housing Executive has generally maintained its stock to a high standard. However, approximately 17% of the stock currently fails the decent homes plus standard, most significantly because of a lack of an efficient heating system in many properties — approximately 11,000, which represents 12% of the stock. That will have to be taken into account when determining future finding requirements.

Let me be clear about what I mean by failing to meet the decent homes plus standard. It does not mean that houses are falling down or that they are unfit. In fact, well under 1% of the Northern Ireland Housing Executive stock is unfit. Savills stresses that the maintenance standard that the Housing Executive has adopted to date is substantially above the decent homes plus standard, particularly with respect to the work that it has undertaken under its multi-element improvement programme.

Recent budget reductions clearly place additional pressure on delivery and maximising value for money, which must be an imperative when ensuring that the greatest output is achieved for a given budget. Budgets must be structured to reflect the Housing Executive's long-term investment strategy and plan, and the proposed re-tendering of a number of contracts this year provides an opportunity to explore the value-for-money benefits that various packaging options may present. At the same time, the Savills report suggests that the Housing Executive should also examine its overall works package, with a view to determining value-for-money options, especially in respect of whether to adopt an elemental versus a whole-house route under multi-element improvement contracts.

For ease of reference, what does that mean? For instance, when carrying out improvements in an estate, do we sweep through each house, changing every element in it, or do we only replace things that need to be replaced? Egan contractors are responsible for all revenue and planned maintenance work that the Housing Executive undertakes, including external cyclical maintenance; kitchen and bathroom replacements; room-heater replacements; and other minor maintenance work. In 2008, contractors were contracted into partnership-agreement work under Egan-type contracts, which are defined as being long-term partnerships with a contractor, with no absolute guarantee of a certain volume of work in any one year.

Earlier this year, I found an additional £10 million for Egan contractors and, so far in 2009-2010, the Housing Executive has allocated new Egan programme maintenance starts worth £16 million; £10 million for kitchen replacements and external cyclical maintenance, and £6 million for heating replacements. Incidentally, the Housing Executive has a maintenance budget of some £127 million this year.

4.15 pm

I accept that the Egan contractors had expected more work and a bigger share of the budget to come their way. However, they must accept that their situation is a result of the overall budget shortfall. The partnership agreements did not guarantee any work. Although I have to deal with the £100 million shortfall, it is fair to say that the programmes available to the Housing Executive's Egan contractors at present may not be what they originally anticipated. That situation is not specific to Egan contractors but to all in the construction industry, due to the downturn in the economic climate. The Egan contractors will, of course, be able to tender for work that will arise from the construction of properties under the social housing development programme.

I note with great disappointment that the response from some Egan contractors has been to call for a stop to the newbuild programme and for me to move those resources to the Housing Executive maintenance budget to increase the volume of Egan maintenance work. Let me make it clear that I will not be doing that. I will not rob Peter to pay Paul, or, in this case, rob the homeless and vulnerable throughout Northern Ireland to pay a particular group of contractors.

Nor will I accept responsibility for job losses. Those contractors set their own employment levels in 2008 during the downturn. I understand that the difficulties that they face, in some cases, result more from a loss of anticipated business in the South of Ireland than anything else. Indeed, my protection of the newbuild budget will sustain many existing jobs and create many new ones. In respect of the house-building sector of the construction industry, I am the only one building houses and supporting the sector. It is the social newbuild programme that will preserve skills and sustain construction apprenticeships.

Although it shows a lack of solidarity with other construction workers, the attitude of some Egan contractors in pursuing their interests is to be expected. More disappointing, however, is the attitude of some members of the Social Development Committee, though I acknowledge that there are some thoughtful Committee members and other Members of the House who want what is best for housing. I will refer to some of the comments.

David Hilditch referred to the Savills report. I received it only recently, and it could have major implications for Housing Executive maintenance strategy. When I have had the opportunity to consider the report, I will publish it. I simply despair at what Fra McCann said. He still thinks that I am giving money back. Yet again, that is absolute nonsense. I could spend every penny of my housing budget, including the £100 million, if the Executive decide to help. Anna Lo referred to the 1.95% rent increase.

That increase was in and around the rate of inflation. If Anna takes the view that I should hike the rents of low-income households above the rate of inflation, I am afraid that I cannot agree with that, because I have always to put the vulnerable first.

I say to Michelle McIlveen and Danny Kennedy: "Welcome to my world." Between them, in addition to funding of £20 million for Egan contractors, they want further funding for grants, multi-element improvements and yet more schemes. However, they know, as Members of the House know, that there is a £100 million shortfall.

Danny Kennedy, in particular, as well as Francie Molloy and Barry McElduff, referred to applications for improvement grants and grants in rural areas. I am having further discussions with the Housing Executive regarding that matter and will come back to the Members on it. Michelle McIlveen seemed to think that I have robbed the maintenance budget to fund extra newbuild. That is not the case. She is right about one thing: I want to provide as many houses as possible. Where it is economical to bring empty homes back into use, we will do so.

Many more issues were raised by Members, and I will come back to them in writing.

I appeal to Members to consider the central judgement call in this matter. In the absence of proper overall funding, should I protect the newbuild housing budget or transfer a substantial slice of it to the Egan contractors? That is a straightforward decision. There are record waiting lists, housing stress and homelessness. We desperately need more social houses, and there is an evidence base that tells us that housing investment is the best way to boost the economy and that now is the time to take advantage of market conditions.

As for maintenance, we have the best-maintained stock that experienced international surveyors Savills has ever seen, and unfitness levels are at well under 1% of the Housing Executive stock. Furthermore, Savills has suggested that the approach to multi-element improvements needs to be reconsidered. Therefore, the decision to protect the newbuild programme is correct. I remind Members that I have not taken money out of maintenance to put into newbuilds; I have merely protected the newbuild programme for which we had already budgeted.

At a time when there is a £100 million funding shortfall, Egan is not the only pressure point. In fact, it is not first in the queue, although I would like to fast-track the remaining heating replacements and conversions. We do not have adequate funding for renovation or repair grants, or for a wide range of improvement schemes. I would like to get redevelopment work under way in parts of north Belfast, if the money were available. Moreover, if I had the funds, I would be able to introduce the mortgage-rescue plan, for which we have done all the groundwork.

It all comes back to the same issue. I can bid in quarterly monitoring rounds and hope to get a few extra crumbs from the table; we can debate all manner of housing motions and wring our hands about the lack of funding for this or for that; and I will stretch every available pound to get the maximum possible from existing budgets —

**Mr Deputy Speaker:** I ask the Minister to draw her remarks to a close.

**The Minister for Social Development:** However, the simple truth is that, collectively, we must put housing on a firm and realistic financial footing, once and for all. I ask all Members for their support in that endeavour.

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** As you are aware, Mr Deputy Speaker, the Committee for Social Development does not usually table motions for plenary debate. Indeed, this is the first time that the Committee has done so during this mandate.

One might ask why the Committee for Social Development feels so strongly about this issue. The majority of Committee members accept that budget difficulties are inevitable, given the current economic downturn. Furthermore, most of them agree that hard decisions are required and that cherished and important projects might have to be cut back or temporarily set aside.

The Committee believes that the case of decent homes and the Egan contractors is special. The magnitude of the cutbacks planned for 2009-2010 and the abruptness of their imposition in late 2008 make the situation unique.

The Department has a duty to ensure that it does not spend money that it does not have. It must also ensure that it does not commit expenditure to work that it will not be able to finish. The Department has advised the Committee that it is acting cautiously by reducing funding for the decent homes programme and related schemes, and that it is doing so to safeguard the public purse.

The Egan contractors are critical of the Department's management of the undoubted funding challenges that

it faces. They felt that the Department had unreasonably exploited the terms of the contract, which allowed work to be significantly curtailed at short notice. The contractors also believed that the losers in this situation were their employees, who found themselves working overtime one day and laid off the next, as well as the tenants who are waiting for their homes to be refurbished.

The setback for the decent homes programme, the consequences for the Egan employees and the outrage expressed by those affected are the reasons why the Committee for Social Development tabled this important motion.

Fra McCann highlighted the key events leading to the present funding situation for Egan contractors and refuted previous assertions from the Minister that she is supporting the construction industry. Mr McCann also highlighted the job losses that have occurred in the construction industry.

Thomas Burns robustly set out the importance of adequate and sustainable funding for social housing, for both newbuilds and refurbishment work. He also called for new money for social housing.

Anna Lo highlighted the concerns among the general public that the Housing Executive will not be able to deliver on its commitments, particularly with respect to disabled housing. She indicated the importance of supporting all elements of the housing programme and raised a query in relation to Housing Executive rents and the funding of increases through housing benefit.

Michelle McIlveen spoke about the cutbacks in housing maintenance programmes in her constituency and indicated that that situation is reflected in constituencies throughout Northern Ireland. She also highlighted the effect of the suspension of the housing maintenance programmes on tenants, contractors and their employees.

Francie Molloy highlighted the need for long-term contracts to ensure the quality of maintenance programmes. He also called for clarity from the Housing Executive on the future of Egan contracts.

Jim Shannon spoke of the quality, workmanship and good value for money from Egan contractors. He also reminded the House of the recent history of funding for Egan contractors and the sudden reduction in financial support.

Alban Maginness advised the House of the Minister for Social Development's overall housing priority. He called on the House to support the Minister's quest to place housing on a sound financial footing and highlighted the opportunity provided by the delays in the Royal Exchange project.



Barry McElduff called on the Minister to urgently prioritise the upgrading of social housing. He spoke of the central importance of the construction industry to the rural economy, and questioned the Minister on issues pertaining to his own constituency.

Declan O'Loan highlighted the need for a long-term arrangement to support investment in housing. He called for a shared approach, by which a dependable flow of funds could be secured.

Alex Attwood reviewed the recent history of funding and reallocation to housing. He challenged Members to revise their priorities with respect to the funding of social housing and to adopt a new approach in the face of the new challenges and opportunities facing the housing budget.

In response, the Minister set out her priorities for the housing budget and called on the House to support her bid for additional resources. She shared with the House some of the findings of the Savills report, indicated that housing unfitness is at a very low level and spoke of some of the possible changes to housing maintenance packages in the future.

The Minister went on to set out the Housing Executive's spending plans for 2009-2010, and indicated that the cutbacks were caused by the economic recession. She advised that the social housing development programme will not be cut back to support Egan contractors as the social newbuild contracts will best support the construction industry. Finally, she responded to Members' comments, further highlighting the substantial shortfall in the housing budget.

On behalf of the Committee for Social Development I thank all the Members who have contributed to today's debate and I also thank the Minister for her response. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

That this Assembly calls on the Minister for Social Development, in view of the adverse economic impact suffered by the employees of Egan contractors, to increase the budget allocation for decent homes and related programmes; and to ensure that future communication with contractors complies with Egan principles.

## PRIVATE MEMBERS' BUSINESS

### Criminal Justice Inspection's Report on Section 75

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

**Mr McCartney:** I beg to move

That this Assembly supports the recommendations published in the Criminal Justice Inspection's report on the impact of section 75 on the criminal justice system; and calls on the relevant agencies to implement the recommendations.

Ba mhaith liom labhairt ar son an rúin agus ar son na tuarascála tábhachtaí seo inniu. Tá mé an-sásta go bhfuil deis againn an t-ábhar tábhachtach seo atá os ár gcomhair inniu a phlé.

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

I thank Criminal Justice Inspection for compiling the report, and I welcome its recommendations on the implementation of section 75 in the various justice agencies.

4.30 pm

The purpose of the report is to contribute to the mainstreaming of equality and to place it at the heart of policies and practices in the justice system. It is about creating institutional reform and acknowledging the reality that the Assembly has a central role in providing leadership and guidance on that issue. Of course, that role would be further enhanced if there was a justice Department in place and, alongside it, a scrutiny Committee to ensure more local accountability and opportunities for scrutiny.

Section 75 requires organisations to ensure that equality and human rights are promoted in every aspect of their work. That is a legal obligation, but, until now, there has been limited commitment among the agencies to the implementation of section 75. The criminal justice agencies are not exempt from that process; indeed, they should have section 75 at their core and set the best standards possible. However, the report reveals that little equality data exist to tell us anything about how the justice system treats defendants, victims, prisoners or witnesses. That is a fundamental flaw, as it hinders our ability to monitor the implementation of existing law. That flaw, the lack of equality, needs to be addressed, and addressing it should be a priority.

The Chief Inspector of Criminal Justice states:



"If there is evidence of inequality there is an obligation on organisations to understand the reasons that have contributed to this situation."

I concur, because, without an acknowledgement of the problems of the past and a mechanism to understand them, organisations will continue to make the same mistakes, and we have seen that time and again. Therefore, there will be a continued failure to address inequalities, and that cannot be permitted to continue unchecked. That weakness is inherent in the criminal justice system.

The inspection's findings reveal inadequate information gathering, which hinders organisations' ability to meet their legal obligations, prevents them from identifying inequalities and their causes, and, furthermore, prevents corrective measures being applied. Accordingly, it slows change in our society and maintains the status quo of discrimination against sections of our communities and against society as a whole.

How can the agencies believe that they are meeting their legal obligations if they have no tools or systems to measure or identify inequality in their work? Examples of such inequalities in the justice sector can be found in the prison system, where the treatment of prisoners and the make-up of the workforce show the effects of inequality. Women and Catholics are under-represented in the workforce.

The report highlights other inequalities, particularly in the treatment of prisoners in custody. There is no need for me to go into statistics; if people read the report, they will understand my point. It is worth noting that the prison system is undertaking a review of equality of opportunities right across the sector, and it is vital that positive action be taken in the months ahead to address the shortfalls. Other justice agencies must carry out similar reviews to identify problems.

The premise of justice is that everyone is entitled to, and should receive, equality of treatment. Organisations must, therefore, strive to become more representative of all sections of our society. To achieve that, it is necessary for the agencies to consult the various sectors defined in section 75. Organisations have a legal requirement to consider the views of consultees. Such actions instil confidence in the community that the organisations serve. It is essential that the justice agencies now implement effective monitoring arrangements and begin collecting data that can be used to transform practices and policies. The report lays that out programmatically.

I welcome the report. It is worthwhile pursuing the commitment to review the procedures and the progress made after 18 months, and the Assembly, the new Department and the new scrutiny Committee should keep an eye on that. It is positive work, and it has been

met positively by the agencies, which have a desire to do this and should now be forced to do so.

**Mr Moutray:** I welcome being able to make a contribution on this important and topical issue. At the outset, I confirm my commitment and that of my party to the criminal justice system. My colleagues and I stand strong on the issue, and we say unequivocally that the people responsible for ill and evil in the Province should, and must, face the full rigour of the criminal justice system and pay for what they have done. My party supports the criminal justice system in its efforts to reduce crime and the fear of crime.

I have listened to Members across the House, and I have heard them cry and lament, which leads me to highlight the fact that it was not the Prison Service that put people in prison; it was the heinous crimes that they committed. Those people should be punished accordingly, no matter what their religion, and they should face the full rigours of the law whether they are Catholic, Protestant, any other religious persuasion or none. Everyone should be subject equally to the law and under the law.

I thank and commend all those who assist daily in implementing the rule of law. During the 30 years of the Troubles, 29 prison officers were murdered, largely at the hands of republican cowards. Many officers sustained injury, and they and their families were intimidated out of their homes. It is no coincidence, and it must be noted, that the three Members who signed and supported the motion have had personal experience of Her Majesty's Prison Service and, perhaps, do not come to the debate with the required sense of balance. However, those who work, and have worked, in the system do so in a volatile and unpredictable environment. It is important to speak well of them and of the professional and skilled manner in which they carry out their daily tasks. The report undermines the current workforce and their ability to carry out their jobs impartially.

I have read the findings of the report, and I have analysed the recommendations. To be honest, it is section 75 gone mad. It is important to highlight the fact that, should the report's recommendations be implemented, they will create enormous additional bureaucracy and red tape for our criminal justice system and for the people working in it. It will create a culture that will detract from the day-to-day activities of the employees, in that it will take up time and will take officers away from the front line to carry out more form filling, statistical research and processing of reports, thus hindering them from carrying out their normal daily duties.

Given the economic climate, is it not important for Members to be prudent and accountable with regard to the finance available to implement such recom-

mendations? I ask Members to cast their minds back and recall the expense of the Patten Report and its implications and costing. I contend that prison officers should be employed on merit alone. I am not interested in the religion of prison officers. I am concerned solely that they do their job professionally and to the best of their ability. Given the reasons that I have outlined, I make no apology for opposing the motion.

**Mr Kennedy:** My party is committed fully to equality before the law, and it is opposed to discrimination.

However, I wish to sound a note of caution on the embellishment of existing legislation and on interpreting it in a way that is not borne out by the facts. I shall explain what I mean by that in the context of the motion. The original intent was for section 75 to address historic grievances about employment, hence the widespread use of the phrase "equality of opportunity". Any notion of using section 75 as a bureaucratic device for monitoring issues regarding, for example, the prison population, seems entirely incompatible with the original intent of section 75. That comparatively narrow but historically accurate view of section 75 indicates that its inclusion in the report is highly questionable.

Paragraph 1.18 of the report quite rightly notes of section 75 that:

"There is no presumption that the aim should be equality of outcomes".

However, the next paragraph states that: "Outcomes are the ultimate test." Needless to say, the latter statement is inaccurate and appears to contradict the former. Equality before the law has nothing to do with equal outcomes. That is one disturbing feature of the Criminal Justice Inspection's (CJI) report, and it is important to place that on record before any analysis of its content.

**Mr A Maginness:** Does the Member not accept that the Prison Service's own report on those issues, particularly the application of section 75, represents a fair and accurate approach? That report states that there are disparities in the way in which prisoners are treated in relation to PREPS and adjudication. Is that not a fair and reasonable assessment by the Prison Service? It is not purely a bureaucratic exercise; it is a real outcome.

**Mr Kennedy:** I thank the Member for his intervention, but the more important point remains, namely that equality before the law has nothing to do with equal outcomes. It is also important to note that the positive comments in the report tend to be overlooked, especially when some with political agendas choose to ignore them and tend to exaggerate and over-egg any critical comments that the CJI may have made.

Much progress has already been made. Equity monitoring for those passing through custody suites is

now in place, and those results will be published later this year. The current consultation on a women's strategy shows that the criminal justice system as a whole is embracing new and better-targeted methods of consultation and engagement. Moreover, the Criminal Justice Inspection's recommendations that are relevant to individual criminal justice agencies have all been taken up.

The report referred to four system-specific and three agency-specific recommendations. An action plan has been published on the NIO website, which shows that two of those seven recommendations have already been implemented, and that clear plans and timescales are in place for the remainder. The plan includes the full range of actions in respect of the Northern Ireland Prison Service review, and similar actions are being taken by other criminal justice agencies, which are addressing recommendations that were directed at them in the report.

The Prison Service will shortly publish new standards on the application of the progressive regimes and earned privileges scheme in line with the requirements of the Criminal Justice Order (Northern Ireland) 2008.

Although it is important to note what is stated in the CJI report, it is also equally important, if not more so, to add that none of the agencies involved has been slow to react to the recommendations. It is further important to note that this is an ongoing process and that, although equality impact assessments and practices matter, they are only part of the overall administrative burden on the various criminal justice agencies.

4.45 pm

Finally, it is quite clear that the criminal justice system continues to fall short in its treatment of women. The absence of a purpose-built women's prison and of a proper facility for young female offenders is important as is, in a debate in which all the focus appears to be on the perpetrators of crime, the progress that is still to be made for victims of domestic violence. The Ulster Unionist Party notes the progress that has been made, but we shall not support the motion.

**Mrs D Kelly:** On behalf of the SDLP, I support the motion. I commend the Members who secured the debate. At the outset, I condemn the attacks that took place in the past few days on female members of prison staff. I hope that, if any injuries were sustained, the staff members will make a speedy recovery.

The CJI report contains recommendations for a number of agencies across the criminal justice sector. It is alarming to note that the NIO took over a year from the completion of the report to its publication. The prison service element of the criminal justice system has remained as one of the last dinosaurs of our troubled past. An overemphasis on security is less

relevant to today's prison systems than new approaches to dealing with prisoners. It is fundamental to the proper functioning of any proper criminal justice system that it is fair and equitable to all who come into contact with it. That is particularly important in the context of the North of Ireland, given the history of the conflict here.

In 2000, the criminal justice review noted that a core value and objective of the criminal justice system is that it should have the confidence of the community that it serves. Another is that it should treat people fairly and equitably, regardless of their background. Nine years on from the report that was published in 2000, today's report and others continue to highlight several concerns in employment practices. In three job competitions from 2004 to 2006 that the inspection examined, the number of Roman Catholic employees fell way short of being reflective of the general population. For example, only 14·2% of the appointees were Roman Catholic, and only 15·9% of applications came from the Roman Catholic community.

It is quite clear that the Northern Ireland Prison Service requires root-and-branch reform that is not dissimilar to Patten. Unfortunately, it is not only the case that not enough is being done to redress workforce imbalances but that Roman Catholic prisoners in some prisons, houses or accommodation are less favourably treated.

**Mr Paisley Jnr:** I am intrigued by the Member's comment that a type of reform similar to Patten is needed for prison officers. Is she suggesting that a severance scheme should be adopted that is similar to that which took place in the Royal Ulster Constabulary as a result of the Patten Report? As the Member will know, that scheme costs in excess of £50 million a year to implement.

**Mrs D Kelly:** Mechanisms must be put in place to make the Prison Service much more reflective of the community and which can gain the confidence of the community that it serves. Although some might say that there are no votes in looking after the rights of prisoners, whether they are on remand or have been sentenced, we can all surely agree that a society is judged on how it treats its prisoners. The purpose of imprisonment is not only to protect the community by depriving someone of their right to freedom as a punishment for crime but to rehabilitate the prisoner. The actions that the report recommends highlight ways to ensure fair and equitable treatment, and they must be implemented as a matter of urgency.

The SDLP was founded on the principals of equality and civil rights, and we will not shy from speaking up for those whose rights are being eroded by agencies or by individuals. Equality is not a sound bite for our party; difficult issues must be faced and resolved. It is essential to gather and analyse equality data, not only

to build a better future for all but, in the case of the criminal justice system, the analysis of accurate and timely data should better inform social policy so that it can also play its part in tackling the causes of crime.

It is regrettable that we have almost reached the beginning of the summer recess and we still have no date for the devolution of policing and justice.

This report, and other recent reports of both the Criminal Justice Inspection and the Prisoner Ombudsman, highlights the fact that much work needs to be done within the criminal justice system. I support the motion.

**Dr Farry:** The Alliance Party will support the motion, though we have reservations about it. There are genuine issues to be addressed with respect to monitoring and diversity in the criminal justice system. However, it is important that we do not get too carried away by the situation before us.

I pay tribute to the work of the Criminal Justice Inspection for Northern Ireland. It has produced a large volume of reports over the past few years. It is one of the success stories of the criminal justice review and it has an important role to play in future in challenging the way things are done. Many of its recommendations have been well received right across the criminal justice system.

Let me place on record my reservations. It is important that we bear in mind the difference between a differential in outcome and the presence of inequality of opportunity or treatment. A differential can show that there is a problem with respect to equality. However, that is not always the case. There is not always a clear cause-and-effect situation in hand. Differentials may be the proof of a wider, structural problem in society, rather than a conscious decision to discriminate, directly or indirectly, by various actors within the system. It is important to bear that in mind.

I also wish to put on record my concern that we do not lose sight of the importance of merit and of the professional standards of people who work in the criminal justice system. To my mind, a professional individual should be capable of providing the same consistent, fair service to people, irrespective of his background or the background of the person he is dealing with. It is important that we recognise that. That is not to diminish the importance of the diversity in the workforce, but to stress the importance of proper professional standards in the way that people conduct themselves. That is the case with the respect to many professionals across Northern Ireland, including many who work in the criminal justice system.

I am worried and concerned about the suggestion that we need Protestant police officers to police Protestants and Catholic police officers to police Catholics, or that a similar situation might evolve in the prison system.



My next concern relates to the nature of monitoring. This is an important aspect of an equality system, and we need to collect data. However, it is important when we monitor that we reflect the proper diversity that we are dealing with in society, or in any subject population.

I read with some concern that the Northern Ireland Prison Service has gone down the line of using the residual method to try to work out from the background of prisoners whether they are Protestant or Catholic, if the prisoner has not already declared that up front. There is concern at the number of people who put themselves down as having other religious backgrounds. It is important that we recognise that Northern Ireland is a diverse society.

Even within our two main traditions, not every unionist is necessarily of a British or Protestant background, and the same applies to those who may be nationalist, Catholic or Irish. There is much more diversity within those populations, and there are those who have opted out. When we speak of religion, there are those who have a religious background and those who have opted to have none. That should be respected. Equally, a large population comes to our country from different parts of the world, and they can find themselves in the criminal justice system. So when we design programmes, it is important that we reflect the range of backgrounds that people have.

As to the motion, it is important that we have diversity within a workforce for a number of reasons. That is reflected in the wider practice right across Northern Ireland in the rest of employment. It is to reflect society as a whole in the working population and also to mirror the population that we are dealing with.

It is also important to bear in mind that equality of treatment is important to avoid tensions, whether there is a problem of community confidence in society as a whole, or tension within a particular situation. For example, in a prisoner population, there may be suggestions of differential treatment which can easily blow up and create wider problems.

Again, monitoring and fairness are important in that respect.

**Mr Shannon:** I oppose the motion. Some time ago, we sat through a similar debate under a different guise; that is, positive discrimination in the PSNI through the Patten Report. It seems that we are revisiting that topic in this debate.

It seems that through the motion, we are also to ensure that jobs are no longer awarded on fitness for purpose, but on religion. Members on the opposite Benches try to force the issue of segregation by boiling everything down to one's background. Being successful or unsuccessful depends on whether one was raised in the right church, chapel or mosque, or whatever the case may be.

**Dr Farry:** I am grateful to the Member for giving way. I note what he said about recruitment to the Police Service of Northern Ireland. Does he accept that there is a difference between calling for diversity in the Police Service, which is an idea that all quarters in society have supported, and using a quota system as the mechanism to achieve that? The use of the quota system has been seen as unfair; however, its outcome, which is a more reflective workforce, has been seen as positive.

**Mr Shannon:** I am happy to see people, whether they are male or female, get jobs if, based on their experience and ability, they are the right people for those jobs.

What can I say that has not been said already about 50:50 recruitment, which was an act of segregation and blatant discrimination? The Criminal Justice Inspection Northern Ireland has called on criminal justice organisations to place a greater emphasis on the promotion of equal opportunities among all sections of the community. In a statement, it said:

"The information we examined in relation to the Northern Ireland Prison Service for example identified a number of issues in relation to the ways in which prisoners were treated and the make up of the workforce."

It further stated that, compared with Protestant prisoners, there was a disparity in the number of Roman Catholic prisoners who were on the highest level of progressive regimes and earned privilege schemes. It also said that the Prison Service's disciplinary staff were predominately male and Protestant.

Nowhere in the report does it mention the fact that Prison Service officers do a tremendous job, regardless of their religious background. It does not mention the danger that those people and their families face because they do their jobs to the letter of the law. For many years, the men and women who wore the uniform of the Prison Service were under immense pressure and danger. Indeed, that threat continues.

They often work with the very lowest that society has to offer, and they are forced to bring that danger home with them to their families. That often resulted in upheaval for their children, as they had to be rehoused after threats were made. In 2002, prison officers were put in further danger after their names were released.

Despite all the threats and murders — 29 prison officers were murdered during the Troubles — that institution remained constant in its provision of a service that was unpalatable to some. They faced abuse, threats and intimidation, yet they continued to do the right thing. To label the Prison Service as institutionally sectarian is further endangering those who serve in it and is an insult to anyone who has served in it. That is why I find the report hard to take and why I do not support the motion.



Being a prison officer is not a job for the boys; it is a job for those who can handle it, regardless of religious preference, sex or colour. To imply anything else is simply unfounded and untrue. Operational independence of the criminal justice system must not be compromised, even indirectly. Employing people for statistical purposes, rather than for their ability, is a recipe for disaster.

Given that, since 1998, the Northern Ireland justice system has been scrutinised more than any other in Europe, it is clear that there have been no underhanded moves and that no one has been excluded. If that were the case, it would have been flagged up in the past 10 or 11 years.

Cumbersome accountability measures are in place to ensure that there is, and can be, no funny business. I fail to see where the evidence of sectarianism lies and what the causes of concern are; however, I know that there will be cause for concern when we offer placements to those who simply tick all the right boxes on an equality form but who are not equipped to do their job.

Section 75 calls for equality, and I believe that that is in operation already. Equality in the Prison Service exists across the board for those who are able to do their jobs. That should be all that is needed.

5.00 pm

That being the case, I cannot in all conscience support a call for positive discrimination in the Prison Service. That suggests connotations of sectarianism in an institution that stands for excellence of bravery, excellence of service provision and parity of service to all those who break the law. There is no difference in the sentences handed out by the law, and there is no difference in the way that the Prison Service carries out the sentence. The inference that that is not the case will not be tolerated by those of us who are grateful for the duty and the sacrifice — in some cases, the ultimate sacrifice — to those who broke the law and paid their debt to society. I support the Prison Service and strongly oppose the motion.

**Ms Anderson:** Go raibh míle maith agat. Éirím chun tacaíocht a thabhairt don rún.

I support the motion. No politician who claims to embrace a shared and better future could argue that the Criminal Justice Inspection report is anything less than a damning indictment and an exposure of the inherent inequalities in the criminal justice system. The inspection found that Catholics are more likely to face prosecution and to be remanded in custody. It found that Catholics are more likely to be jailed at the end of the judicial process and, when in jail, are more likely to face discriminatory practices from the regime. All that confirms the Catholic nationalist population's belief in an inherent imbalance in the criminal justice system.

**Mr Beggs:** Does the Member accept that, in the past, her party encouraged people to break the law and supported violence? Therefore, it is unlikely that members of her community upheld the law and joined the Prison Service. Indeed, the IRA killed members of the Prison Service. Does the Member not accept that those factors must be accounted for?

**Ms Anderson:** Those factors happened during the conflict. As people who are elected by the nationalist/republican community, we want to examine where we are now and where we want to get to. Yesterday's men and women can speak in the Chamber about this offence, which has been given to them by the Criminal Justice Inspection. They were told clearly about the problems in the prison system. It is up to the Member whether he chooses to ignore those problems and keep his head in the sand. We will provide leadership, lead from the front and take on board the views of people in the criminal justice system about the problems therein. We will work damn hard to address all those problems. If the Member chooses not to do so, the electorate will judge him and people like him.

That confirms the Catholic nationalist population's belief in the inherent bias in the criminal justice system. It is completely unacceptable that any Catholic, or any group of people, regardless of their religious denomination or without one, could face discrimination at any point of the judicial process. However, the report shows that in the North of Ireland, Lady Justice is far from blind. That needs to change. In the wake of the Colin Bell case, I said that a Patten Report for the Prison Service was required.

The Patten recommendations are addressing the policing situation, but the same diligence has never been applied to the Prison Service. There are still people working in the prison system who were there through the worst unrestrained behaviour of the hunger strikes: prison officers who degraded and tortured faceless and defenceless prisoners. That is a fact. What has been done to remove those who brutalised in the past? What has been done to prevent the routine abuse of power? Those issues need to be addressed.

It is only with the impending transfer of policing and justice powers that we can secure the kind of changes that are so desperately needed in the judicial system. For any remaining doubters, of which there are many in the Chamber, the inspection's report is proof of that.

In the meantime, the full implementation of the inspection's recommendations can begin the process of making our prisons and justice systems fit for purpose. The equality safeguards that are set down in section 75 have a fundamental part to play in every facet of life, but particularly in our prisons, which are often populated by vulnerable and disadvantaged people.

One governor whom I spoke to earlier this year described his jail as a dumping ground, full of people who should not be there.

Prisons are not places in which people should be dumped, forgotten about or abandoned to their fate at the hands of an unaccountable regime. Prisoners are entitled to the same equality protections that section 75 affords the rest of us.

I am grateful for the work that the Criminal Justice Inspection has done in producing its report, and I acknowledge the fact that some progress has already been made on the implementation of its recommendations. However, as the motion states, all the recommendations must be implemented, and the relevant agencies should take steps to ensure that that happens without delay. The inspection's report has confirmed the existence of shocking and extensive inequalities in our justice system and those should be rectified immediately. I support the motion.

**Mr Weir:** I speak with a rising sense of anger, having listened to some of the speeches that have been made. The previous speech, in particular, contained sufficient nonsense, shall we put it, to cover several cell walls.

The proposers of the motion, particularly the Member who spoke previously, have attempted to rewrite history. On the one hand, they talk about the brutalisation of prisoners and say that those responsible for that should be rooted out. They focus on everything that happened in the past, yet when the number of prison officers who were murdered is raised, or when the mysterious deterrent to people, particularly from the Catholic community, wanting to join the Prison Service is mentioned, they dismiss those as:

“factors that happened during the conflict.”

Throughout and beyond the Troubles, prison officers have been the targets of paramilitary attacks from both republicans and loyalists. That is not simply a vestige of the past; I am sure that many Members, throughout the current and previous Assembly mandates, have dealt with situations in which prison officers have been threatened and attacked and have, at times, had to move house. That, I believe, is at the heart of the differential in employment patterns in the Prison Service.

Mr Kennedy said that we should always strive for equality of opportunity. I believe that there is a system in place that allows that to be achieved. We should not strive for equality of outcome, because that completely denies the essence of equality of opportunity. The best man or woman — the best person from whatever background — should get the job. That is why I take grave exception to the reference that was made in some speeches, though not directly referred to in the motion, to the need for some sort of Patten mark II that

allows people to obtain employment on the basis of clear-cut discrimination. That is completely unacceptable in this society. It was wrong to do that in the case of the police, because the factors that led to the imbalances in the numbers of people employed in the police would have been taken care of over time, without the need for positive discrimination.

The image that is being presented is of poor, unfortunate prisoners being left in a dumping ground, as if prisons were some sort of children's home for the socially disadvantaged. The reality is that people are in prison because they committed a crime.

**Mrs D Kelly:** The reality is that more than 70% of the prison population are people with mental-health problems. That is not a Sinn Féin or an SDLP statistic; it is from independent research. The fact that society is not making resources available to tackle the blight of alcohol and drug abuse and improve mental health means that there are many people in prison who should not be there.

**Mr Weir:** Most mass murderers have mental-health problems of some description. There is a tendency to present prisons as a dumping ground, but people have committed and been found guilty of crimes against society and against other human beings. Getting drunk on a Saturday night is no excuse for committing a crime. Let us understand a little bit less and condemn a little bit more when discussing those in prison. People are in prison so that society can be protected, and prison officers often bear the brunt of criminal violence.

The image that many of us have — and I appreciate that perhaps others in the Chamber have more first-hand experience of prison than I — of the jolly japes from an old episode of ‘Porridge’ is not the reality of a prison officer's life. Inside and outside prison, they have been subject to great provocation and attacks, as have their families. The tone of the report and the motion is one of vilification of the Prison Service. We need to stand by the —

**Dr Farry:** Will the Member give way?

**Mr Weir:** I will accept the remarks from Mr Farry, who in his usual, measured, sit-on-the-fence way managed to support the motion with a degree of reservation. Unfortunately, I have only about a minute left, so I ask him to be brief.

**Dr Farry:** I thank the Member for giving way. It is important that Members pay attention to what is in the report. Ms Anderson's remarks were completely out of context of what is in the report. The report is not a damning indictment of anyone; it pointed to a few problems around monitoring in the system that need to be addressed. It did not castigate any agency for blatant discrimination or suggest that that was going on in any quarter of the criminal justice system. It is important that that be recorded.

**Mr Weir:** I appreciate that some Members' remarks tend to be tangential to the report. Many people will ask whether the Assembly has taken leave of its senses. In debating a key criminal justice issue, are we discussing attacks on the elderly and vulnerable, the disgraceful attacks on the immigrant population, or are we looking at problems in the criminal justice system? No, we are navel-gazing at section 75 requirements.

**Mr Deputy Speaker:** Please draw your remarks to a close.

**Mr Weir:** This is an attempt at Patten mark II, and I urge Members to oppose the motion.

**Mr A Maginness:** At the outset, let me say that the SDLP supports the motion and welcomes it, and we thank the proposers for bringing it to the House. The motion is characterised by a lack of political colour; there is no partisan element whatsoever.

The motion calls for the relevant agencies to implement the recommendations of the Criminal Justice Inspection's report. I ask Members opposite and Mr Kennedy what objections they have to any of those very moderate recommendations. The report recommends increasing monitoring and collecting more equality data; it recommends a consultative forum on criminal justice matters, which, I believe, has already been established. It also proposes a strategy for accelerating the creation of a reflective workforce across the system: not just in the prison system but across the justice system.

The report contains agency-specific recommendations that the Northern Ireland Prison Service publish the findings of its internal review in its internal monitoring figures. There is nothing terribly frightening in any of that. It recommends that the Probation Board for Northern Ireland take steps to extend appropriate section 75 monitoring across its various functions. It also proposes that the Youth Justice Agency take steps to begin to monitor across its three core areas. I cannot find anything in those recommendations to which anybody could take exception. I cannot understand the opposition of Members opposite and Mr Kennedy. Is there some prejudice or bias in the Criminal Justice Inspection? I think not. It is a highly respected body.

5.15 pm

Furthermore, many Members have concentrated on the Prison Service, which was the body that produced the report to which I referred, not the Criminal Justice Inspection. That report was produced by the Prison Service, which examined its internal workings and stated that there were disparities in how Catholic prisoners were treated in comparison with Protestant prisoners.

That report states that we must get to the bottom of that issue. Why do those disparities exist? Why is a Catholic prisoner more likely not to enjoy benefits and

privileges in the prison regime? Do any of the Members opposite have any answers to those questions? The Prison Service has no such answers. However, the Prison Service is saying that it found those problems, and it wants to establish why. That is a very sensible approach by the Prison Service, which has been endorsed by the Criminal Justice Inspection.

The report states that Catholic prisoners are more likely than Protestant prisoners to face adjudication proceedings in prison. The Prison Service has asked why that is the case, and acknowledges that it must focus on and explore that matter, and provide an explanation. Do Members opposite object to that?

**Mr Kennedy:** Does the Member accept that all those issues are being addressed? The difficulty is that when those issues are introduced into the political system and become political tools, so to speak, it is unhelpful to the overall debate. Does the Member accept that that is a valid reason for allowing progress to be made on all the issues, and for not politicising them?

**Mr A Maginness:** The motion does not politicise the issue. I reject that assertion. I said at the outset that the motion has no political colour whatsoever. The Member might find some political colour in it, but I cannot see it. The motion is phrased in the most neutral fashion. It is asking the Assembly to support the report's recommendations, and asking that they be implemented. Those recommendations will be implemented in any case because the NIO Minister Mr Goggins has said that he will implement them, in the main. Indeed, some of the recommendations have been implemented.

Therefore, I again ask Members opposite to outline the recommendations to which they are opposed, and why they are opposed to them. I have one final point about the make-up of the Prison Service. For historical reasons, the Prison Service is male and largely Protestant, and there is disparity. The Prison Service is saying that it must examine that disparity because it has to have a workforce that is more generally reflective of the population of Northern Ireland.

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

**Mr A Maginness:** That is what the Prison Service is saying, and that is a reasonable and sensible approach.

**Ms Ní Chuilín:** Go raibh maith agat, a LeasCheann Comhairle. I again thank the Criminal Justice Inspection for publishing its report, and the Assembly's Research and Library Service for producing an excellent information pack.

Alban Maginness was correct to say that the motion was worded, perhaps naively on our part, in such a way as to allow every Member to support the report's recommendations. I cannot, for the life of me, understand where the fear is. However —



**Lord Morrow:** I was interested to hear the Member say that the motion was worded in a way that would attract wide support in the House. To what lengths did the proposers go to ascertain the views of those whom they now find opposed to the motion? Is it not a bit late in the day to say that the motion should have the full support of the House when no consultation was carried out on it? I am not aware of any consultation that was done to help to bring an agreed motion before the House. If I am wrong, I look forward to the Member telling me about that consultation.

**Mr McCartney:** What is the point in having a debate?

**Lord Morrow:** Let the Member answer.

**Ms Ní Chuilín:** The Member will answer. That may be a fair point. When proposing motions that we hope will enjoy cross-party support, perhaps we should seek out the Whips and spokespeople and form an alliance. However, you tabled a motion on the RUC Reserve to the Business Office last week at the same time as you tabled a motion on the hunger strikes. That indicates that you are not open or approachable even at this stage. I will stand corrected if I have made a mistake, and, indeed, I would much prefer to be wrong than to be right in this instance.

If the motion does not enjoy full support in the House, so be it. We look forward to the recommendations of the Criminal Justice Inspection's report being implemented in full, as support for the work of the Criminal Justice Inspection is at the heart of the motion. The motion also acknowledges the importance of section 75. Not enough data are being collated, and the system is not sufficiently robust. I do not understand why people are so sensitive about the criminal justice system, but it should not be exempt from equality proofing.

Many Members said that the criminal justice system is not victim-friendly; we heard that people with mental-health difficulties are likely to go through the criminal justice system; we heard that Catholic men face more punishment in prison and that most prison employees are Protestant males. The data tell us those things, and corrections need to be made. The criminal justice system must be enhanced to ensure that everyone who is involved in it is treated equally.

I appreciate Stephen Moutray's directness in making it clear that his party would not support the motion. In contrast, it was almost as though Danny Kennedy sympathised with the proposers of the motion but had to say what his party told him to say this morning.

**Mr Kennedy:** She read. *[Interruption.]*

**Mr Deputy Speaker:** Order. All remarks should be made through the Chair.

**Ms Ní Chuilín:** Danny said that he is committed to equality and that he is against discrimination, which must be welcomed.

**Mr Kennedy:** It says that on her page.

**Ms Ní Chuilín:** I heard you say it, and I wrote it down. It will be in the Hansard report, so I will repeat it: Danny said that he is committed to equality and that he is against discrimination. I will take it as read that, as its deputy leader, Danny Kennedy speaks on behalf of the Ulster Unionist Party.

In an extremely helpful intervention, Alban Maginness said that the Criminal Justice Inspection's report indicates that the criminal justice system, particularly the prison system, has failed. Danny did not accept that; he said that differences were the reason for proposing the motion.

Dolores Kelly raised —

**Mr Kennedy:** Danny and so many other unionist Members were reticent in supporting the motion because although it seemed innocent enough, your colleague Ms Anderson painted a graphic picture of its detail. She gave a list of ills and levelled the usual accusations against the system.

It is for that reason —

**Mr Deputy Speaker:** Order. The Member should resume his seat. The cut and thrust of politics are very important to the House, but it has gone well beyond that. Please make your remarks through the Chair.

**Ms Ní Chuilín:** Thank you, a LeasCheann Comhairle. Danny, you must be psychic. You spoke before Martina Anderson, so, hello, I have heard enough from you for today.

As Dolores Kelly pointed out, it took more than a year for the prison system's report to be published. The whole overemphasis has always been on security.

With your indulgence, Mr Deputy Speaker, in the last few minutes, I wish to add that Michelle O'Neill and I visited Ash House at Hydebank and saw for ourselves the lack of equality where it should be applied properly and the differences between men and women, particularly young women. Again, the prison system will acknowledge that. Jim, you may also have acknowledged that. There are clear examples of that, but the prison system is keen to work with the Assembly to ensure that that does not happen.

Peter Weir's remarks were very disturbing. I am surprised at Peter. The Department of Health is now responsible for the healthcare of prisoners —

**Mr Deputy Speaker:** Ms Ní Chuilín, I am sure that if you speak through the Chair, others will follow your example.

**Ms Ní Chuilín:** I am sorry, a LeasCheann Comhairle, you are absolutely right.

The Department of Health is now responsible for the healthcare of prisoners. With attitudes like Peter's,



prisoners will get the care that they need only if they deserve it, rather than as an entitlement. That is extremely worrying. That is why the report and the motion have been brought forward.

Stephen Farry made some helpful remarks. However, I disagree about the differential. You are either for equality and the implementation of section 75 or you are not.

Jim Shannon got quite rattled and annoyed, which is not like him, but I prefer not to go into that. Martina Anderson is 100% right: people need to lead by example and to lead from the front.

**Lord Morrow:** Like she did.

**Ms Ní Chuilín:** Like we all did, and we should all continue to do so. That is the rationale for bringing forward today's motion. The days when one place had full responsibility for policing and making laws have gone. We make legislation here. We are responsible, we are equality proofed, and we need to adhere to section 75. The laws that we pass are implemented in the courts, and they should be subject to section 75 and equality proofed. People who find themselves in the criminal justice system, such as those who have experienced domestic violence, prisoners and everyone else, need to enjoy the full implementation of section 75. Equality is for every citizen here, not just some.

I support the motion.

*Question put.*

*The Assembly divided: Ayes 31; Noes 26.*

#### AYES

*Mr Adams, Ms Anderson, Mr Attwood, Mr Boylan, Mrs M Bradley, Mr Brolly, Mr Burns, Mr Butler, Dr Farry, Mr Ford, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Ms Lo, Ms J McCann, Mr McCarthy, Mr McCartney, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McKay, Mr A Maginness, Mr Molloy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane.*

*Tellers for the Ayes: Mr McCartney and Ms S Ramsey.*

#### NOES

*Mr Beggs, Mr Bresland, Mr Buchanan, Mr T Clarke, Rev Dr Robert Coulter, Mr Elliott, Mrs Foster, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr Kinahan, Mr McCallister, Mr I McCrea, Miss McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Paisley Jnr, Mr Poots, Mr G Robinson, Mr Ross, Mr Shannon, Mr Spratt, Mr Storey, Mr Weir.*

*Tellers for the Noes: Mr Bresland and Mr T Clarke.*

*Question accordingly agreed to.*

*Resolved:*

That this Assembly supports the recommendations published in the Criminal Justice Inspection's report on the impact of section 75 on the criminal justice system; and calls on the relevant agencies to implement the recommendations.

*Adjourned at 5.41 pm.*



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# NORTHERN IRELAND ASSEMBLY

Tuesday 23 June 2009

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

*Members observed two minutes' silence.*

## EXECUTIVE COMMITTEE BUSINESS

### Housing (Amendment) Bill

#### Second Stage

**The Minister for Social Development (Ms Ritchie):** I beg to move

That the Second Stage of the Housing (Amendment) Bill [NIA 7/08] be agreed.

The Bill aims to enhance and clarify housing law in a number of ways. Some of its most important provisions deal with homelessness and are commitments that I made in including the homeless, which is a strategy for improving the social inclusion of homeless people. That strategy was produced following wide consultation, and I am grateful to many stakeholders in the voluntary and statutory sectors for their support in developing the proposals in the Bill. The Bill will ensure that tackling homelessness remains a top priority by placing a duty on the Housing Executive to produce a homelessness strategy every five years and by ensuring that other Government agencies take that strategy into account when delivering their functions. The Bill also offers homeless applicants new rights of review and appeal, and it makes the Housing Executive's procedures for dealing with homelessness more transparent and accountable.

The provisions relating to registered housing associations are needed to ensure that my Department can regulate those associations in a sensible and cost-effective way and, if required to do so, has the ability to take early and appropriate action to safeguard the interests of tenants and public funds.

The Housing (Amendment) Bill also aims to clarify existing legislation, with the intention of making its implementation more effective. For example, social landlords will be provided with the tools to regain possession more quickly of certain houses that have been

abandoned and to take effective action against tenants who use their homes for illegal and immoral purposes.

The proposed change to the definition of a house in multiple occupation (HMO) is designed to clarify the existing law and to ensure that only those homes that are truly HMOs will be subject to the full rigours of the law. It is clear from a judge's comments at a judicial review that the current definition fails to recognise that members of an extended family who are living under the same roof can comprise a single household. That means that a couple who take in an elderly aunt or a lodger can suddenly find their home classed as a house in multiple occupation, and expensive obligations will be placed on them to bring their home up to a certain standard. That was never the intention, and I am keen to ensure that the resources that I have made available for enforcing HMO standards are properly focused on real HMOs where there are significant risks to the well-being of the occupants.

I also propose to increase in law the number of statutory nominations from the Housing Council to the board of the Housing Executive from three to four. That change, which has taken place administratively, ensures fuller representation of district councils on the Housing Executive board.

The Committee for Social Development has also raised with me its desire to see a change in the law, which would give my Department powers in relation to rent increases for the 1,000 statutory tenancies in the private-rented sector. Most of those are older homes where rent control applies. The proposed change would enable the Department to raise rents for fit properties without having to do likewise for the small number of properties that do not meet the fitness standard. I support that change and am minded to seek a Government amendment to the Bill on the issue.

The Human Rights Commission has proposed a change to clause 3 to ensure that written notification to unsuccessful housing assistance applicants also includes information on their rights and access to further advice. I support that change and am minded to seek a Government amendment to the Bill.

The Housing (Amendment) Bill would help the Housing Executive and registered social landlords to carry out their housing management functions, deliver a higher standard of service to tenants and homeless people and give local government a stronger voice in housing matters. On that basis, it is hoped that all parties will support the proposals.

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** As part of its pre-legislative consultation, the Committee for Social Development has considered the principles underpinning the Housing (Amendment) Bill. The Bill contains many elements: some are technical and straightforward; others

are fundamental and contentious. Regardless of their type, the Committee intends to scrutinise all elements of the Bill in detail at Committee Stage.

I will summarise the key principles of the Bill and the Committee's initial views on them. The Bill will introduce a statutory requirement on the Housing Executive to produce a homeless strategy; provide related services, advice and information; and allow a right of review of homelessness decisions. Demographic, social and family changes in Northern Ireland have led to increasing housing stress and homelessness. The Simon Community estimates that about 19,000 households presented as homeless in 2007-08. The part of the Bill that is relevant to that issue is, therefore, of great interest to the Committee and is, in principle, welcome.

The Committee looks forward to a further exploration of the obligations on the Housing Executive with respect to the homeless strategy, and we will also seek assurances on the nature of the related advice and information. The right of appeal will also be carefully reviewed.

The Bill will require the Housing Executive to publish its policies and procedures on antisocial behaviour. The unwelcome actions of a few individuals or families can be of serious concern to everyone in a community. Consequently, that subject is of concern to many members of the Committee.

The Committee welcomes that aspect of the Bill, but it will ask questions around the extension of that requirement to housing associations. Members have already indicated their desire for statutory standardisation of policies and procedures on antisocial behaviour across the Housing Executive and the housing associations.

The Bill also includes measures to strengthen the Department's regulatory role in respect of housing associations, and it is understood that those measures were brought forward in response to events in other jurisdictions. The Committee recognises the need for a robust but balanced regulation of housing associations to maintain confidence and transparency in those important organisations, but it has yet to express a strong view on that element of the Bill.

The Bill also contains provisions that relate to changes in the definition of a privately rented house in multiple occupation, and it is understood that those provisions were brought forward in response to a court ruling. The Committee is agreed that, as a general rule, the Department must respond to legal documents and adapt its procedures and policies accordingly.

However, the issues that relate to HMOs, such as their number, their definition and their regulation, are contentious, and some members of the Committee have already expressed concerns about the inclusion of HMO provisions in the Bill without a prior, wider public consultation. That matter will no doubt be discussed

further during the Committee Stage of the Bill, and possibly during the consultation on the private-rented sector later this year.

The Committee has also considered issues that relate to registered rents. Those issues involve privately rented properties, some of which fail the fitness standards and to which rent controls are applied. Although extensive provisions on registered rents are not included in the Bill, the Committee is greatly encouraged by the Department's indication that it may consider amendments in line with Committee suggestions on the issue.

There is much to commend in the Bill, particularly the provision that relates to homelessness. The Committee looks forward to further debate on that and other more contentious aspects of the Bill during its Committee Stage.

From the Committee's initial deliberations on the Bill, it has become evident that there may be some difficulty in separating the principles at issue in the Bill from subsequent planned legislation on the private-rented sector. The Committee also looks forward to exploring and resolving those difficulties with the Department.

In conclusion, I thank the Department for the information that it has conveyed to the Committee during various briefing sessions. Those sessions have been particularly valuable and have enhanced members' understanding of the principles that underpin the Bill. I am heartened by the Department's engagement with the Committee to date, and I encourage the Department to continue to communicate fully with the Committee and other stakeholders as the Bill progresses.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle agus a chairde. I welcome the opportunity to speak on the Bill, and I endorse everything that the Deputy Chairperson of the Committee for Social Development has said. I also thank the Minister for introducing the Bill.

In discussions during Committee meetings, a number of issues were raised, and the Department, which I do not often praise, has been very helpful. However, I have been told that the Bill is not a major Bill but is designed to tidy up outstanding issues that were not dealt with in previous legislation. If that is the case, I would be concerned, because we will have lost an opportunity to resolve some outstanding problems that it could take many years to return to. Hopefully, the Minister will point us in the right direction and advise what can and cannot be included in the Bill.

Antisocial activity has already been mentioned during today's debate, particularly the high levels of vandalism that occur in many estates. That is a major issue, and leadership and some form of legislation are required to tackle that increasingly worsening situation. Thousands, if not millions, of pounds are lost each year



through vandalism, and many residents believe that they have been abandoned and left to tackle that problem alone. Indeed, with some exceptions, that is the case: most residents are too frightened to confront those vandals, and it is grossly unfair to expect them to do so.

10.45 am

The parents of many antisocial young people totally ignore local communities that raise the issue of their children's behaviour, and the Housing Executive and housing associations expect local residents to stand up and identify antisocial people and give evidence against them. That is far removed from reality, because residents —

**Mr McCarthy:** I am grateful to the Member for giving way. Does he agree that, in times of distress and antisocial behaviour, the Housing Executive seems to find it very difficult to remove its tenants who continually disturb their neighbours with loud music at all hours of the night? The Housing Executive seems powerless to do anything about such behaviour. As a result, ordinary decent people who want to get on with their work and get a night's sleep are completely prevented from doing so.

**Mr F McCann:** I certainly agree with that. That tale is one that all Members, including the Minister, have probably experienced in their constituencies. We are constantly put under pressure to do something about it. That is what I am talking about. Hopefully, consideration of the Bill will allow us to examine ways to help residents to tackle such behaviour.

Residents have been attacked for taking a stand. I ask the Minister whether we have an opportunity to use this Bill to strengthen the hands of local residents in their fight to reclaim their areas from thugs.

For example, when problem families become an issue for local residents to the point where agitation occurs and families are removed, those problem families claim that they need to be rehoused due to intimidation. That instantly gives them priority status, and they are placed far ahead of law-abiding people, who have to wait their turn on the housing list. Furthermore, those antisocial families are then housed in a neighbouring estate, where they continue their objectionable behaviour. That merry-go-round must stop. When the local community complains to the housing authorities, it is told that the authorities have a duty of care to the applicant. What about the duty of care to the residents?

The area that I live in and represent has suffered greatly at the hands of such people, so I can testify to the reality of the situation. We need a new approach that is embedded in legislation and that will give confidence to local residents to fight back against antisocial thugs.

When I raised the issue of the housing selection scheme with two former direct rule Ministers, I was promised that change would happen, but, of course, I am still waiting, and they are away. I also raised the issue with the Minister for Social Development. The housing selection scheme puts many of my constituents at a disadvantage and, in many ways, discriminates against them. Although that scheme was brought in to replace the old priority system, it does not work in areas of high demand.

In areas of high demand, such as many nationalist areas of Belfast and Derry, people require a minimum of 180 points to be considered for housing. In other areas, people require far fewer points to be rehoused, and that flags up an obvious disparity. I have been told that resolving the issue will require legislation, and the Bill presents us with a golden opportunity to rectify that injustice.

A number of issues can be dealt with, one of which is the opportunity to put more firmly into legislation the role of residents' associations. If properly resourced, residents' associations can play an active role in bringing some sort of order or future to many of the constituents with whom we deal.

Members have spoken about rent and the private-rented sector. I do not know whether that matter will be dealt with in the current consultation, but private landlords in many working-class areas charge exorbitant rents that are far above the levels of housing benefit. Also, illegal evictions are widespread in the private-rented sector.

I hope that we can deal with a number of issues. Rather than having a selective Bill, albeit one that deals with many important points, we can deal with additional issues and provide a firm footing for local residents and their representatives to deal effectively with the important issues that impact greatly on their areas at present.

**Mr McCallister:** I thank the Minister for moving the Bill's Second Stage. I will focus primarily on the aspects of the Bill that deal with setting the legislative framework for the Housing Executive to deliver a homelessness strategy every five years.

I welcome the production of a homelessness strategy; however, it will work only if the political commitment exists to provide the resources and the legislative and policy reforms necessary to actually reduce homelessness in Northern Ireland.

Since the Minister came into office, we have had numerous studies, strategies and incentives to reduce the plight of homelessness and its effect on families and children across Northern Ireland. The legislation requires the Housing Executive to ensure that those who are homeless or in danger of being made homeless are provided with accommodation. Such a request in

the current economic climate appears to be an extreme bout of wishful thinking.

In July 2007, we welcomed the Minister's holistic strategy, including the Homeless, which correctly set about tackling homelessness from a social, economic and cyclical point of view. Although the progress of the strategy has been slower than some would have liked, the relevant bodies and Departments have set about their tasks.

Equally, we all welcomed the Semple Review into affordable housing, which outlined some of the steps that must be taken to reduce housing stress and homelessness in Northern Ireland. Recently, respected economists put the case for the economic benefits of building social housing. However, we have abjectly failed to deliver for three reasons: the lack of political ambition; the lack of political commitment; and current circumstances. However, if the third reason were removed, the first two would ensure that we would still fail to meet our housing targets and to reduce homelessness in Northern Ireland.

Sir John Semple's review stated:

"If the Government's cross-cutting anti-poverty strategy is to mean anything, the provision of a decent home for the poorest in our community must be a priority."

With the social housing targets in the Executive's Programme for Government, it became clear that the anti-poverty strategy was virtually meaningless. We have been told that to meet demand, we must build between 2,500 and 3,500 new social homes each year just to stand still. We have been promised 1,500 social and affordable homes, but, due to circumstances, we will struggle to meet that target.

We have not seen the political will to finance our commitments, nor have we seen the political will to make the necessary policy reforms. We procrastinated until the Department of Finance and Personnel's pot ran dry, and we did not make the reforms to facilitate change even when enough money was available.

What must we do to ensure that the Housing Executive's strategy is not a further drain on taxpayers' resources? First, we must find a way of injecting some money into social housing as the economic and social benefits are there for all to see. I urge the new Minister of Finance and Personnel to look favourably on social housing in the next monitoring round. Recently, many parties in the House wrangled over who was to blame for what; such division does not help the homeless, nor does it help the construction industry. We must start to work together quickly to secure the best outcomes.

Secondly, we need to start mainstreaming social housing into more developments. Developers are crying out to build social housing, although they were not so forthcoming when times were good. The Semple Review pointed out that we must reform PPS

12 and ensure that developers are obliged to build a suitable percentage of all developments as social housing: at no extra cost to them I might add. Mixed-use housing is the best way of ensuring that fewer people will be homeless, and it will also produce a more cohesive and shared society. The rest of the United Kingdom, the Republic of Ireland and Europe are ahead of us on those issues. The recession gives us an opportunity to ensure that, when the recovery comes, we can catch up with them.

Any Housing Executive homelessness strategy must exist within the broader framework, or else, like all other words that we have expended on the issue, it will remain just that.

The only technical comment that I will make is that, rather than the strategy being delivered every five years, it might be more useful if it were to span each comprehensive spending review (CSR) period; that would give it a more realistic and up-to-date feel. However, that debate is for another day. I support the motion.

**Mr Burns:** I welcome the Housing (Amendment) Bill, mainly because it will help some of the most helpless people in our society: the homeless. The Minister's commitment to helping the most vulnerable cannot be doubted, and it is shared by me, the SDLP, and, I am sure, every Member.

The new laws will require the Housing Executive to publish a homelessness strategy every five years and will give better rights to homeless people. We will make sure that tackling homelessness remains one of the top priorities of the Housing Executive. We must do all that we can to prevent people becoming homeless; to get homeless people back into houses; and to make sure that they do not become homeless again.

The Housing (Amendment) Bill covers other issues, such as antisocial behaviour — and other Members have today related how serious that is in many developments — houses in multiple occupation, and rent control. I am sure that the Minister will be happy to answer any questions that Members may have in relation to those aspects.

I welcome the Bill, and strongly recommend it to the House.

**Ms Lo:** I thank the Minister for moving the Second Stage of the Bill. I support the majority of the recommendations that have been included in the Bill, but I have concerns about some issues. I particularly welcome the requirement on the Housing Executive to produce a homelessness strategy. That is well overdue and has been called for by the housing sector for a long time: the promoting social inclusion working group, in particular, made it a key recommendation some years ago.

My concern is that, like so many other strategies, it may be difficult to achieve the buy-in of other Departments.

I hope that the Minister will have better luck than she had when trying to achieve the buy-in of other Departments on the neighbourhood renewal strategy. It makes things difficult for the Department for Social Development as the lead Department if there is not that buy-in.

The Bill contains several good aspects with respect to homelessness. I also welcome the proposed requirement for the Housing Executive to make its decision-making process much more transparent to the communities. There will be a right of appeal, and if a person is turned down and deemed ineligible, the grounds for that decision will be made known to the applicant. That is very important. I also welcome the requirement for the Housing Executive to advise people, and to not only deal with homelessness but to try to prevent it. Sometimes, a lot of young people drift into homelessness when that could be prevented, rather than us simply dealing with the consequences.

I also welcome the clauses of the Bill that deal with antisocial behaviour. Those will make things easier for social landlords and other landlords to make more efficient use of the grounds for possession when there is unacceptable and antisocial behaviour.

I have particular concerns about the HMOs, some of which were mentioned by the Deputy Chairperson of the Committee.

With the judicial review hearing of 2005 we have to redefine houses in multiple occupation. In future, legislation on HMOs cannot be applied to extended families, which will mean that extended families can live together but will not be subject to regulation. It is a concern for residents and landlords alike that that could lead to overcrowding, and, without regulation, that could have health and safety implications. Those are my major concerns, and those issues must be considered in future.

11.00 am

**The Minister for Social Development:** I thank the Members who contributed to the debate on the Second Stage of the Housing (Amendment) Bill, which dealt with the general principles of the Bill. The Bill is an important step forward in dealing with homelessness; it places a clear strategic focus on tackling homelessness and on improving existing homelessness services. The Bill also ensures that existing housing law is clear and effective and that it achieves its intended purposes in a number of important areas. The changes that I have proposed will allow my Department and social landlords to make more effective use of our resources by providing us with appropriate powers to carry out the full range of our responsibilities.

I ask for the House's support to agree the Second Stage of the Bill and to send it to the Committee for Social Development for more detailed scrutiny. I was

glad that the Deputy Chairperson of the Committee, David Hilditch, said that the Committee would do that. That is one of the Committee's functions, and it should be enabled and allowed to undertake that.

The Deputy Chairperson of the Committee rightly asked why the Bill will not require registered housing associations to publish their policies and procedures on antisocial behaviour. I agree that registered housing associations should do so, and although it is appropriate that the duties of a statutory body such as the Housing Executive should be set out in legislation, we sometimes forget that housing associations are voluntary organisations. My Department already has powers to regulate the affairs of registered housing associations, and I will ask my officials to ensure that the associations publish their policies and procedures in that area.

The Deputy Chairperson also raised the issue of houses in multiple occupation and expressed concerns about the possible adverse effect of the change in definition and about the consultation process that the Department uses. The proposed change is important, and it will remove from the HMO banner a number of properties that were never intended to be classed as HMOs. That is the right thing to do, and it will enable the Housing Executive to focus its resources on registering and enforcing appropriate standards on real HMOs, where there is a risk to the well-being of occupants.

In fact, officials in the housing division conducted a targeted consultation on the proposed change, and that process identified no evidence of an adverse impact. I remain willing to reconsider the issue if any tangible evidence emerges.

Fra McCann and Kieran McCarthy raised the issue of antisocial behaviour. I am sure that Members of the House will agree that a multidisciplinary approach is required to deal with antisocial behaviour. That involves housing, which is a significant component; health; education; and, above all, the Northern Ireland Office and policing.

Mindsets must be changed and attitudes challenged. People must be brought round to the idea that antisocial behaviour such as putting others out of their homes, such as the Romanians last week, and subjecting others and the community in general to intimidation, harassment and any form of terror is wrong and must stop immediately. If Members have evidence of any such behaviour that relates to housing, I will gladly listen to it. We must all remember, however, that a multidisciplinary approach is required. I do not think that any Member of the House would resile from that viewpoint.

Mr McCann also raised the issue of the housing selection scheme. He suggested that it does not operate properly in areas of high demand and asked me to look at the issue. I have been concerned — perhaps “concerned”



is not the right word. I have given the issue some thought. Sometimes, the science of defining and assessing need is not necessarily reflected in the provision of the social housing development programme. I come to that view after considerable thought, reflection and research. I have already asked officials to carry out research into housing need, which they are currently doing, in order to ensure that the allocation of social housing takes account of all relevant issues. If necessary, I will invite the Housing Executive to amend the selection scheme. However, that does not have to be part of the Bill; it can be separate and run parallel to it.

**Mr F McCann:** I appreciate the Minister's comments. I am not arguing for a complete change to the Bill, but it needs to be tweaked in order to reflect the serious difficulties that are out there. I am sure that, like me, the Minister and other Members have dealt with cases in which people in one area get a house if they have 100 points, whereas people in another area may have to wait years and need 180 or 190 points to get houses. That is unfair. It happens mostly in nationalist areas where there is severe demand for housing.

**The Minister for Social Development:** I thank Mr McCann for that information. I fully appreciate his point. He and other Members from across the House have raised that issue with me. I am able to provide personal illustrations of that from my constituency experience. That is why I have instructed officials to carry out a review of all of that in order to ensure that there is a more balanced approach to the housing selection scheme that brings about and enables fairness.

The most important thing in all of this, however — and it was raised by John McCallister — is that housing must be put on a sound financial footing in order for homes to be provided. Professor Mike Smyth and Dr Mark Bailey tell us that housing is a significant economic multiplier. It can stimulate the economy. I agree. That is why I commissioned those gentlemen, along with others such as Richard Ramsey, Alan Bridle and John Simpson, to be independent assessors. All of those men are economists; some are bankers. They all say similar things. Therefore, the science is not new: it is simply stating the obvious. However, we need to do it as an Executive to give the local economy that stimulus.

Mainstreaming houses was also mentioned. I agree fully with having social houses among private-sector houses. We need mixed tenures and mixed incomes. There is nothing new in that. Most importantly, through all of that provision, we must build a shared society.

My colleague Thomas Burns asked why the Housing Executive is required to publish a homelessness strategy, given that it has published such a strategy already. A statutory requirement to publish a homelessness strategy would help to ensure that dealing with homelessness remains one of the Housing Executive's top priorities.

The requirement for other bodies to assist with the formulation of that strategy and to take account of it in the exercise of their functions would contribute to a joined-up approach.

John McCallister also said that a homelessness strategy should be produced every three years, in line with the comprehensive spending review periods. I am happy to look at that.

Anna Lo expressed concern that other Departments may not buy into the homelessness strategy. The whole purpose of the homelessness strategy, which I launched on 7 July 2007, was to ensure that we had the buy-in, not only of my own Department and the Housing Executive, but of all other Departments, such as Health, Education, and Employment and Learning. In fact, a multidisciplinary committee was established as a result of that. The kernel and central pivot of that was inclusion: we must include everyone, get the views of everyone and provide comfort and solace to those most vulnerable in society. This Bill requires key Departments and public bodies to take the strategy into account in the exercise of their functions. That therefore becomes a statutory requirement.

I appreciate that a number of other questions have been raised which I have not had the time to address. I am happy to write to Members on those issues. I am grateful to Members from all parties who contributed to a helpful debate on this important piece of legislation. My officials and I look forward to conducting further debate with the Social Development Committee when it does its rightful duty of analysing and scrutinising the Bill line-by-line, as it is required to do. I am grateful to everyone and I commend this Bill to the House for its approval.

*Question put and agreed to.*

*Resolved:*

That the Second Stage of the Housing (Amendment) Bill [NIA 7/08] be agreed.



## EXECUTIVE COMMITTEE BUSINESS

### Budget (No. 2) Bill

#### Consideration Stage

**Mr Speaker:** No amendments have been tabled to the Bill. I propose therefore, by leave of the Assembly, to group the seven clauses of the Bill for the Question on stand part, followed by the three schedules and the long title.

*Clauses 1 to 7 ordered to stand part of the Bill.*

*Schedules 1 to 3 agreed to.*

*Long title agreed to.*

**Mr Speaker:** That concludes the Consideration Stage of the Budget (No. 2) Bill. The Bill stands referred to the Speaker.

### Insolvency (Fees) (Amendment) Order (Northern Ireland) 2009

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I beg to move

That the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2009 be affirmed.

The Order amends the Insolvency (Fees) Order (Northern Ireland) 2006. It brings up to date the nature and level of fees to be applied by the Northern Ireland Insolvency Service and brings them into line with actual costs.

First, it increases the fees payable to insolvency practitioners appointed by the court to produce reports on debtors' affairs from £310 to £345 for each report submitted. Secondly, it increases the official receiver's case administration fee on a winding-up by the court from £1,495 to £1,615. Thirdly, it reduces the fee for registering an individual voluntary arrangement from £35 to £15. Lastly, it reduces the overall ceiling on the Department's administration fee that can be charged on a single case from £100,000 to £80,000.

In 2008, the Insolvency Service undertook a comprehensive review of its costs and calculated a contemporary set of fees on a full cost recovery basis, following guidelines laid down by the Department of Finance and Personnel (DFP).

The proposed amendments to the fees have been agreed with DFP. There is no statutory requirement to consult on those proposals; however, on 26 March, my officials wrote to local insolvency practitioners and recognised professional bodies to inform them of the proposed changes in the fees to be applied and give them an opportunity to comment. They received no comments in response.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr Durkan):** The Committee for Enterprise, Trade and Investment considered the measures at SL1 stage and statutory rule stage. The Committee has no issues with the Order and is content for it to be affirmed by the Assembly.

*11.15 am*

**The Minister of Enterprise, Trade and Investment:** I am grateful to the Committee and its Chairperson for their indication that they are content with the statutory rule. I commend the provisions of the Order to the House.

*Question put and agreed to.*

*Resolved:*

That the Insolvency (Fees) (Amendment) Order (Northern Ireland) 2009 be affirmed.

### Insolvency (Amendment) Regulations (Northern Ireland) 2009

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I beg to move

That the Insolvency (Amendment) Regulations (Northern Ireland) 2009 be affirmed.

I am seeking the Assembly's affirmation of the Insolvency (Amendment) Regulations (Northern Ireland) 2009. The regulations amend the current legislation concerning payments into the insolvency account and the remuneration of the official receiver and his officers. They introduce new measures to allow insolvency practitioners to pay into the insolvency account moneys that represent unclaimed dividends or unpaid wages to former employees of dissolved companies that they are unable to pay out to creditors, particularly where the company has been in administration or administrative receivership.

The regulations also update the hourly rates for the remuneration of the official receiver and his staff. The changes are aimed at maintaining full cost recovery of the case administration functions. The regulations bring the rates to be paid into line with similar rates that are applied in England and Wales.

The policy in Northern Ireland regarding insolvency law is, where appropriate, to maintain parity with similar legislation made in England and Wales. The proposed amendments to the fees have been agreed with DFP. As before, while there is no statutory requirement to consult on those proposals, on 26 March officials wrote to local insolvency practitioners and recognised professional bodies. They received no comments in response.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr Durkan):** It is a case of ditto. The Committee for Enterprise, Trade

and Investment considered the regulations that the Minister has ably outlined. We have no issue with the proposed regulations, and we noted that the Examiner of Statutory Rules made no comment on them. The Committee is, therefore, content for the regulations to be affirmed by the Assembly.

**The Minister of Enterprise, Trade and Investment:** Again, I thank the Chairperson and the Committee for their consideration of the statutory rule; I am pleased to note the broad support for it.

*Question put and agreed to.*

*Resolved:*

That the Insolvency (Amendment) Regulations (Northern Ireland) 2009 be affirmed.

## COMMITTEE BUSINESS

### **Report on the Northern Ireland Assembly Code of Conduct and the Guide to the Rules Relating to the Conduct of Members**

**Mr Speaker:** The Business Committee has allocated up to two hours for the debate. In accordance with the Business Committee's agreement to allocate additional time to Committee Chairpersons when moving and winding up on a motion on a Committee report, the Chairperson of the Committee on Standards and Privileges will be allowed up to 15 minutes to propose the motion and 15 minutes to make her winding-up speech. All other Members will have five minutes in which to speak.

**The Chairperson of the Committee on Standards and Privileges (Mrs Hanna):** I beg to move

That this Assembly approves the Report of the Committee on Standards and Privileges (NIA 136/08-09), and agrees the Northern Ireland Assembly Code of Conduct and the Guide to the Rules Relating to the Conduct of Members, included at Annex A of that Report.

It has never been more important to ensure that the public have trust and confidence in the integrity of elected representatives. Revelations from Westminster about duck ponds, moat-cleaning, house-flipping and other abuses have understandably shaken public confidence in the political system.

The behaviour of some MPs has been disgraceful, and it does not matter that those stories are not about the Assembly. What matters is that the public have lost faith in many politicians; and we need to do something about it. We need to show that we are listening to those concerns, that we understand the frustrations that exist and that we will take decisive action. Only then can we begin to rebuild public confidence and ensure that the integrity of the Assembly is upheld.

The Assembly is taking action. The engagement strategy and the success of the recent roadshows demonstrate how we can interact with the public and address concerns in a meaningful way that strengthens the democratic process. My Committee has already called for an urgent review of the rules, and we are pleased that the Assembly Commission has begun that important work and will publish more details about MLAs' individual claims. It is right that we acknowledge that work, and your role, Mr Speaker, in addressing those issues. However, those measures alone are not enough, and that is why we are proposing a new code of conduct for the Assembly today. The code is the culmination of much hard work, and the Committee began work on it long before the current crisis at Westminster. Its scope goes beyond expenses. The code covers all aspects of Members' conduct in a way that takes account of the many issues that have been

raised with the Committee. Therefore, I thank all those who responded to the Committee's consultation. Conflicting views from different consultees mean that we cannot adopt all the proposals that we received. However, all responses were considered carefully and helped to steer us towards the new code.

The Committee on Standards and Privileges believes that the new code will provide a more transparent system to ensure that MLAs put public interests first. The code will establish openness and accountability as key elements and will maintain the integrity of the Assembly by holding Members to the highest standards expected of them by everyone.

Our report into the new code makes several recommendations, which I will discuss in turn. I will begin with the issue of double-jobbing, not only in relation to dual mandates. Double-jobbing can refer to any job that a Member holds outside the Assembly. The Committee on Standards and Privileges is not saying that Members should not be able to have jobs outside the Assembly; outside experience can inform debates and help to make decisions. However, the Committee is saying that if Members have outside jobs, openness and transparency must be increased.

Until now, most Members have simply had to register the source of outside earnings and nothing else. We propose that, under the new code, Members will have to register how much they earn from outside interests. That is important, because the value of an outside interest can demonstrate its significance. Moreover, Members will have to register how much time they spend on outside interests. That is crucial. When the public elect a full-time MLA, they have a right to know how much time that Member spends on other paid interests.

Another big issue for the public is family members who benefit from Assembly allowances, whether through employment or the rental of offices. Although there are often good reasons why family members are the right people to employ on a value-for-money basis, we do not live in the real world if we cannot appreciate the public perception of the situation. That is why there must be openness and accountability. The issue of family members who benefit from Assembly allowances has already been brought before the Committee, and we were concerned about the absence of guidelines on that and other expenses issues. Therefore, we have called for an urgent review of office cost allowance.

As I said at the beginning, we are pleased that the Assembly Commission has begun this work, and we look forward to more clarity. Therefore, the Committee's remarks today are entirely without prejudice to the outcome of the review and what it might say about family members.

In the meantime, the Committee believes that there must be transparency about who benefits from Assembly Members' allowances. Therefore, under the new code, Members will be required to register family members who benefit directly or indirectly, in any way, from Assembly Members' allowances. We recommend that the Assembly Commission should publish job descriptions and salary bands for family members who are employed as staff under the Assembly office cost allowance. In that way, everyone will be able to see exactly how the allowance is being used.

Of course, it would not matter what went into the code of conduct if it was not clearly enforceable. Therefore, the Committee believes that there should be a range of sanctions open to the Assembly where a Member is found to have breached the code. Of those, the most important is the ability to suspend a Member without salary. Such a sanction will give the code real teeth and will show the public that we are absolutely serious when it comes to regulating Members' conduct. We recommend that Standing Orders be amended to facilitate that and, if necessary, to allow for the relevant determination to be made on Members' salaries.

There is a number of other amendments to the code, and we have clarified the scope of those. The code covers the conduct of Members with respect to anything that Members say or do in their capacity as Members; it does not cover their conduct in their private and family life. We have said that the code covers the conduct of Members in what they say, but we also make it clear that Members are legally entitled to express any opinion that they hold. That is a fundamental right in a democratic society. However, the report states that although Members must be entitled to express their opinions, we are all, as public representatives, responsible for the manner in which we do that. Members will be expected not to express opinions in a manner that is manifestly in conflict with the principles of conduct.

The Committee also considered the application of the code to Ministers and agreed that the code and guide should continue to apply to Ministers. We had to think about how to manage complaints that also fall within the scope of the ministerial code of conduct, and that is set out in the new code. In considering that issue, we recognised that no mechanism currently exists for investigating alleged breaches of the ministerial code of conduct. There is a clear need for such a mechanism, and we have written to the Office of the First Minister and deputy First Minister (OFMDFM) about that.

The new code sets out the duty of Members to comply with an investigation by the Assembly Commissioner for Standards. On behalf of the Committee, I record our gratitude to the Interim Commissioner, Mr Tom Frawley, and his assistant, John MacQuarrie, for their

hard work and for the support that they gave to the Committee.

The Committee agrees that the code will have to be reviewed sooner rather than later. We must examine the lessons to be learned from the current situation at Westminster, and we want to be in a position in which we can end the current dual reporting that is required between us and the Electoral Commission. As well as improving transparency and openness, we also want to make the reporting of interests as straightforward as possible for Members. A number of other amendments is set out in the code, particularly concerning the registration of interests. Those will improve openness but in doing so, will create a greater responsibility for Members. Members must respond to that; the public expects no less. Members who have concerns or queries about what should be registered should speak to the Assembly Commissioner for Standards, who will be happy to give advice.

I thank the Committee Clerk and his staff for their assistance. The Committee will continue to keep the issue of Members' conduct under review. We will not hesitate to take whatever steps are necessary to ensure that the public can have confidence in the integrity of the Assembly and its Members. That is a work in progress, and the new code is an important first step. I commend it to the Assembly.

**Mr Ross:** I thank the Chairperson of the Committee on Standards and Privileges for comprehensively outlining the detail of the new code, which she did very well. I also thank the Committee staff, who put in a lot of effort in the past few months and put up with a lot of debate about the content of the Committee's report, some of which may have seemed menial.

I thank previous Committee staff: there was a reshuffle of Committee staff, and I wish to thank past and present staff members who helped with our inquiry. I thank the legal advisers and the Interim Assembly Commissioner for Standards and his assistant for their help.

11.30 am

As the Committee Chairperson said, the debate is taking place against the backdrop of the ongoing expenses scandal at Westminster. That has put all of us in a bad light regardless of the Chamber that we attend or the people whom we represent, and that is very significant. There are two important points to state at the outset. First, most of the expenses scandals have centred on the second-home allowances, which are not available to us. Secondly, the piece of work that the Committee on Standards and Privileges has conducted was initiated long before any of this happened. We have been working on the matter since the beginning of this Assembly mandate, and that work has been ongoing

for some time. Nonetheless, all politicians have been tainted with the same brush.

I watched the newly elected Speaker of the House of Commons state in his opening address that politics and all politicians had been damaged, and that it is important that we all move towards a system of openness and transparency. He believes that politicians in the House of Commons are not there to feather their own nests but to represent the people to the best of their ability. The same is true for Members of the Northern Ireland Assembly, but we need to ensure that we are more open and transparent to ensure that the public recognise what we do and do not think that we are here out of self-interest.

Last night, some of the news outlets stated that the new Speaker of the House of Commons would be going out to meet people around the country. I think that we should pay tribute to you, Mr Speaker, for having already done so in Northern Ireland, because that has been very beneficial.

When I joined the Committee, I was told that it would not be meeting very often and that there would not be much public interest. That has proven untrue, given the workload of public complaints that we have had. Some of the complaints have been fairly spurious; nonetheless, the public are clearly interested in what we say and do, and how we conduct ourselves. We must bear that in mind.

During the past two years, the Committee has met its counterparts in the House of Commons and in the Standards and Public Appointments Committee in Scotland. We have also consulted widely among the public, and statutory and non-statutory bodies. It was important to have a thorough consultation if we were to have a new code, and that has been done fairly well. It is also important that we recognise, when there is increased public interest, that the code does not exist just to make it easier for members of the public to complain about Assembly Members. It is also there to help Assembly Members and to give them guidance on how they should be conducting themselves: to steer them, to a degree. That is what the new code does.

As the Committee Chairperson said, the code states clearly the remit of our Committee. It is just as important to state what we do not cover as what we do. During the course of complaints and our review of the old code, some issues that are not within the remit of our Committee came up. It is important to state that instead of saying that those issues had nothing to do with the Committee, we were proactive in writing to the relevant Assembly bodies to highlight those issues. For example, in the case of the ministerial code, we wrote to the Office of the First Minister and deputy First Minister. My view is that the ministerial code is a



separate code enforced by the courts, as we have seen over the past six months.

Issues have been raised with the Assembly Commission and the Finance Office. When issues arose, the Committee was proactive in writing to both to raise concerns. We have also dealt with the complaints procedure and penalties that we can impose on Members. That is beneficial, as is the new rectification process, because there are times when a Member will genuinely make an error by forgetting to make a declaration of interest, or when circumstances have changed. It is important to have a rectification process in place, so that if a Member were to make a genuine error, he or she would be able to rectify it without incurring a penalty.

The Committee Chairperson has outlined the main points of the review, about family members and outside earnings. She made an important point that the code must be kept up to date. We are aware that there will be changes at Westminster and elsewhere. There may be some radical proposals made around those codes of conduct.

**Mr Speaker:** I ask the Member to draw his remarks to a close.

**Mr Ross:** It is important that, as an Assembly, we keep up to date and keep reviewing our code to reflect those changes.

**Mr Brolly:** Go raibh maith agat. I want to be associated with Members' remarks commending the new Committee Clerk, Paul Gill, and the previous Committee Clerk, Dr Kevin Pelan, who spent a long time with the Committee. I hope that he is doing well wherever he is now. I also commend the Committee Chairperson, who did a very good job. There were hairy moments now and again, but the Chairperson did very well and deserved our complete support.

I have difficulty with the ministerial code of conduct. I made that quite clear to the Committee, though I am afraid that I did not prevail in my arguments. Ministers should be subject to the same scrutiny as any Member; that is the scrutiny of the Committee on Standards and Privileges. If a Minister comes before the Committee and is found to have breached the code of conduct, then, as the saying goes, the bigger they are, the harder they fall.

That is where the matter should begin. I have a suspicion about ministerial codes. I suspect that such a code was, somewhere in history, a device created by Ministers who were, perhaps, untouchables in years past.

**Mr Ross:** In case there is any confusion, the code of conduct allows for the Committee on Standards and Privileges to investigate a Minister who may have breached that code. There is a differential when the Minister has broken the ministerial code of conduct, which is outside the Committee's remit. When the new,

revised code of conduct is published, the Committee will be able to investigate Ministers if they are acting in their capacity as MLAs.

**Mr Brolly:** I completely appreciate the Member's point.

**Mr Speaker:** The Member has an extra minute in which to speak.

**Mr Brolly:** Thank you, Mr Speaker, but I will not need it. There should not be that differential, but just a straight scrutiny by the Committee on Standards and Privileges, and sanctions should be imposed in accordance with the fact that a person is a Minister and should know better than we ordinary mortals on the Benches.

As the Chairperson said, however, the code of conduct is still a work in progress, and I would like to think that that issue could be considered in due course. However, I still have a suspicion that the ministerial code of conduct gives Ministers, who, historically, were untouchables, the opportunity, when something goes wrong among them, to circle the wagons and say: "Don't let those people in on us, we will look after this matter ourselves." Therefore, I am not entirely happy about how that matter was resolved, although I am consoled by the fact that, as I understand it, the Chairperson said that the code of conduct is a work in progress.

It is vital that the code of conduct is as watertight as possible and has no grey areas. It must be party-political-proofed for the Committee on Standards and Privileges. It would be very difficult for any of us to see a Member of our own party come before the Committee to be examined and a report compiled by the Assembly Commissioner for Standards. If the Committee has to make a decision, it would be much better that the code of conduct is so tight that there is no room for manoeuvre in making a decision and that the code tells Committee members what to do: that is it, end of story, this man is guilty or not guilty.

**Rev Dr Robert Coulter:** I, too, join other Members in congratulating the Committee staff for their excellent work in putting together the code of conduct. This has been a long, drawn-out process that goes back over many years, and many Committee staff members were involved with it. Over the past few months, however, it has been particularly difficult and onerous for Committee staff, and I praise the Committee Clerk, Paul Gill, the Assistant Assembly Clerk, Hilary Bogle, and their staff for their excellent work. Committee members sometimes caused awkward problems for them, but nothing seemed to be too much of a burden, and they went into matters in great detail in order that we got the code of conduct right.

I congratulate Carmel Hanna, who has been an excellent Chairperson of the Committee. As another Member said, it has not always been an easy Committee

to manage, but Carmel has managed it extremely well. This lengthy piece of work has taken up a lot of her time over the past months. Members of the Committee appreciate the friendship that Carmel showed and her open and excellent handling of meetings. All the Committee members worked extremely well, and they, too, deserve the praise of the House.

The code of conduct deserves to be granted the acceptance of the House. As other Members mentioned, the public have lost confidence in the parliamentary system and, more particularly, in parliamentarians. The House and its Members have an opportunity to take on board a standard of conduct and to be guided in the practice of that conduct. That will enable Members to be open and transparent before the public. The good conduct of Members, in accordance with the code, will give the public confidence that they can come to the House to receive help with their problems and concerns. Furthermore, the public will be able to look on the House as a place where people are honest and upright in the giving of that help.

This is an opportunity for the House to establish itself in the eyes of the world. If we can get it right in Northern Ireland, despite the problems that we have had, and if our Members can behave in an open and transparent manner, the world can look upon us as an example to follow. I commend everyone who was involved in putting the code together, and I commend it to the House. It is up to Members to accept the code, practise it honestly and, therefore, take forward the standards and reputation of the House.

**Mr B Wilson:** I, too, thank the Committee staff and the Chairperson for the all the work that was done in the preparation of the code. As some Members indicated, the timing of the code is appropriate. Anyone who canvassed in the recent European elections will no doubt confirm that public trust and confidence in the integrity of politicians is at an all-time low.

It is essential that we move from a culture of secrecy to a culture of complete openness and accountability. There must be greater transparency, and the implementation of the code will help to gradually restore the public's confidence in its elected politicians. Rules must be tightened to ensure that Members cannot claim that an unacceptable practice falls within the rules. The public are particularly concerned about the renting of constituency offices, Members' remuneration outside the Assembly and the employment of family members. I declare an interest in that I employ my son as a personal assistant. The new code will ensure that all Members declare such interests, and failure to do so will result in a breach of the code of conduct.

I generally welcome the code, but I have one concern. The Committee recommends that the scope of the Assembly's code should be interpreted more broadly

than is the case in England and Scotland. In the House of Commons and the Scottish Parliament, investigations tend to be limited to complaints about financial impropriety, Members' interests and adherence to specific rules. Complaints about the views and opinions that Members express fall outside the scope of their code of conduct. However, the Assembly Committee has considered and, on one occasion, upheld complaints relating to views and opinions that were expressed by Members.

My concern is that the broader interpretation will unnecessarily restrict the way in which Members express their opinions. Members must be free to express their political opinion in whatever way they choose within the parameters of the law. We should not seek to prevent or limit any political opinion being expressed legally. However, I recognise that that can allow Members to make comments that are offensive to a large section of the community, and, indeed, in the past year, that has happened. Nevertheless, to restrict such speech would be contrary to the principles of a democratic society.

11.45 am

Much as I abhor the views of the British National Party (BNP), I feel that we can fight the party only through the political system. To try to gag the BNP would be ineffective and counterproductive. Westminster and the Scottish Parliament restrict the scope of their codes to the seven principles set out by the Nolan Committee. However, after public consultation, the Assembly's Committee on Standards and Privileges has agreed to introduce four additional principles: respect, equality, working relations and promoting good relations.

Although I agree that, in an ideal society, we should all act in accordance with those principles, I am not convinced that they should be added to our code. The addition of those four principles will politicise the Committee and lead to a significant increase in the number of complaints being referred to it. Respect is a very subjective issue. For example, how does one equate the failure —

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

**Mr B Wilson:** No, I am running out of time.

For example, how does one equate failure to respect Her Majesty The Queen with refusal to respect the republican dead? Respect can mean a lot of things to different people. It could lead to referrals to the Committee and, in so doing, it would open a can of worms and create future problems, which would be likely to be divided along political lines.

I am already concerned about the number of issues that have been decided by party political voting in the past year, and I have no doubt that that will increase if we include the four new principles in our code. I do

not believe that the Committee should take on the role of judging such statements or actions. Members' actions or comments on political issues should not be subject to the Committee's scrutiny. Members are subject to the law of the land, for example, to the Prevention of Incitement to Hatred Act (Northern Ireland) 1970, and they are finally accountable to the electorate. Some comments may be offensive, but it is the price that we pay for free speech in a democratic society. Indeed, the use of direct action to highlight a political cause has been central to our progress over many generations from the Chartists to the suffragettes and the civil rights movement.

I welcome the code. Its strict enforcement should help to improve public confidence in politicians, but I feel that we could look again at the impact of broadening the scope to include the four new principles.

**Mr Bresland:** I, too, congratulate the Committee Clerk and staff for the way that they carried out their work. I also congratulate the Chairperson for the way in which she handled the meetings.

The report recommends that a new code of conduct replace the current version of October 2009. The new code will introduce a number of new principles of conduct, including equality. It will also clarify a number of areas, including the registration of interests of Members and their families and the registration of Members' earnings outside the Assembly. Members will also be required to register any family members who will benefit directly or indirectly from Assembly Members' allowances.

With the current criticism of Members' expenses and double-jobbing, the recommendations have come at a good time, and, as such, they should be adopted by the Assembly. The Committee also recommends that the Assembly should have the powers to impose sanctions, such as suspension without pay, on Members found to be in breach of the code.

As the report recommends, modifications and additions will improve and strengthen the code. I support the motion.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle, a Chomhaltaí agus a chairde.

I thank the Speaker and the Committee Chairperson for going through the report.

It would be remiss of me to forget about all the hard work that the Committee Clerks and entire Committee staff put into compiling the code of conduct. It is an important piece of work, and I hope that it will demonstrate that we are leading the field in that respect. I must point out, as was mentioned earlier, that the code of conduct should remain constantly under review, because changes will have to be made to elements of it

from time to time. The Committee on Standards and Privileges must carry out that important work.

The purpose of the code of conduct is:

"to assist Members in the discharge of their obligations to the Assembly, their constituents and the public at large."

Bearing that in mind, it is important to note that everyone in the Committee agreed with the code, including Brian Wilson, although he raised some new issues today. All members of the Committee worked hard, and we worked through any issues on which we did not initially agree. The code of conduct is about public duty and covers a range of qualities: selflessness; integrity; objectivity; accountability; openness; honesty; leadership; equality; and promoting good relations and respect.

I hope that, under the code of conduct, Members can effect change in various areas. Everyone saw what happened recently in Westminster, where MPs also work to a code of conduct and under a particular system. Every MP who was caught out on expenses said that they were merely following the system; in fact, they made that system work for them. In compiling a code of conduct, we must ensure that that cannot happen here and is a thing of the past. If Members adhere to the list of qualities that are outlined in the code of conduct, we should be able to move forward and, in contrast to what happened in Westminster, lead by example.

I must also highlight the Commission's ongoing review of the Members' financial services handbook. That will also be of interest, and it is in addition to the code. The code and the review, when complete, should make the Assembly a stringently regulated and highly accountable body.

In the past, Members have been removed from the Chamber for breaching the code and not behaving in a parliamentary fashion. That issue must be examined; at least one Member has been thrown out of the Chamber on at least two occasions only to return the following day, because of the lack of accountability. If we are to lead by example, we must demonstrate that sanctions have been put place. At present, it is too easy for someone to make, for example, homophobic remarks. That has also happened outside the Chamber and is a breach of the code.

**Mr Ross:** To avoid confusion, it is important to state that the Speaker has exclusive responsibility for dealing with Members' actions in the Chamber. Unless the Member is proposing a change to that system, the code deals with the behaviour of Members outside the Chamber. It is important to make that distinction.

**Mr Speaker:** The Member has one additional minute in which to speak.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. I take the Member's point, but it is a matter of drawing comparisons with others and learning from



past mistakes. Three, or possibly four, Members have been thrown out of the Chamber but faced no sanctions. A Member can be removed from the Chamber only to return the next day, when he or she can repeat the offence and be removed again. The lack of sanctions makes it far too easy for Members, even in the Chamber, to behave in that way.

The code of conduct is intended to ensure that changes are made. It includes the possibility of a financial sanction on Members in the form of a cut in wages. That is important because, if there is one sanction that will stop Members from making silly comments in the Chamber, it is taking a financial hit.

Importantly, the code also deals with the remuneration of Members. Even if Members are not elected to any other position, they must be held accountable for any other job that they do. That must also be kept to the fore in the code, because it will allow account to be taken of the time that Members spend working in outside bodies or engaged in other employment.

Members are elected to and salaried by the Assembly; they must ensure that they spend most of their time here, representing their constituents and fully fulfilling their obligations to the Assembly. That is an important issue —

**Mr Speaker:** The Member must bring his remarks to a close.

**Mr P Maskey:** The community and our constituents want assurances that that will happen urgently.

**Mr Hilditch:** I welcome the delivery to the House of the report on the review of the Northern Ireland Assembly code of conduct and the guide to the rules relating to the conduct of Members. I fully support and commend the report.

I join other Members in thanking staff for their work and considerable effort in the report's production. There have been significant personnel changes during the more than two years that it took to complete the report. Therefore, I thank everyone who was involved, from the start under Committee Clerk, Dr Kevin Pelan, to completion with Paul Gill and his staff at the helm. I also extend many thanks to people who took the time and trouble to contribute by appearing before the Committee or by submitting written evidence.

Two years may seem a long time; however, like other Members, I believe that the report could not be timelier. The current code is almost 10 years old and, despite its amendment in 2001, the issue must be kept on the front foot. The report must certainly not be allowed to gather dust on forgotten shelves. The revised code is, or probably should be, one of the most read documents by all Members. We must ensure public confidence and trust in the integrity of Members, which is a well-highlighted theme of the report.

The report is timely mainly due to situations that have arisen in other places recently, which have given headline writers plenty of material to choose from. The Committee visited some of those other places during its review and while compiling the report; however, I am confident that it was interested only in good practice, which the Committee has included or adopted for the purpose of its review.

In particular, the experience gained by studying the practices of the Scottish Parliament has been highly beneficial. We have had the advantage of being able to pick, choose — and, hopefully — deliver an Assembly code of conduct that is fit for modern purposes. Helpfully, the Committee also has the power to periodically recommend any modifications that are deemed necessary to that code of conduct.

Members can quickly grasp the changes by reading the summary of recommendations at pages 2 and 3 of the report. The Committee Chairperson has adequately outlined all of those changes. There are 23 recommendations, which are further developed and explained in the report. The recommendations range from the introduction of new measures to slightly amending existing requirements of Members. I welcome and support all 23 recommendations.

As a member of the Committee who debated and supported the recommendations, I do not feel that it is necessary to speak for much longer. I wish to hear other Members' views on the matters before the House. I hope that any queries that are raised will be answered during the winding-up of the debate. However, I was interested to hear what Mr Brian Wilson said. Despite not taking an intervention from my colleague Mr Alistair Ross, Mr Wilson presented views that he had not expressed during the Committee's deliberations.

In supporting the report, I hope that a lot of clarity is brought to the code not only for Members, but for the public so that they understand that it is they who hold the Assembly and its Members to account.

**Mr Savage:** As a member of the Committee on Standards and Privileges, I welcome the report and endorse its approval.

The report could not be more timely. Due to the Westminster expenses scandal and other local incidents, public confidence in elected representatives is, regrettably, at an all-time low. The misdemeanours of a few have tarnished us all. For that reason, this is an excellent and opportune time for the report to be published, approved by the House, and implemented. Its publication shows the public and the electorate that we mean business, that we take these matters seriously and that we are getting our House in order.



12.00 noon

An Assembly code of conduct was adopted in December 1999 and amended in October 2001. In 2002, a review was conducted and consulted on. However, due to the suspension of the institutions later that year, the recommendations of that report were not acted upon. In December 2007, following the restoration of devolution in May 2007, the Committee on Standards and Privileges began a review of the Members' code of conduct. It should be noted that that review commenced before the recent scandal about parliamentary expenses at Westminster. It should also be noted that, in this House, Members' expenses and allowances are being considered separately by the Assembly Commission.

The proposed code of conduct outlines four key principles that are the minimum requirement for Members' conduct: respect; equality; the promotion of good relations; and good working relationships. Those four points form the bedrock of the new code of conduct, and, if we are to take the first steps on the long journey of restoring public confidence, it is essential that we approve the new code.

I urge Members on all sides of the House, from all parties and from none, to give the new proposed code of conduct their full and unqualified support. As a member of the Committee on Standards and Privileges, I endorse its report wholeheartedly, and I recommend to the House the Northern Ireland Assembly code of conduct and the guide to the rules that relate to it, which is included at annex A in the report. I also endorse my colleague's remarks to the Committee Chairperson and to the Committee staff about their hard work to put all that in place. I commend the report to the House.

**Mr O'Loan:** I welcome the statement that the Chairperson of the Committee on Standards and Privileges made. Elected representatives must command public trust, and presently, that trust must be regained, because it has been damaged seriously as a result of events in this Assembly and, more particularly, in Westminster. It is a great pity that the hard and good work of Members from all parties has been damaged seriously and devalued in the eyes of the public by improper conduct and the suggestion of improper conduct. Therefore, undoubtedly, work must be done to regain ground and to create a climate of total transparency, clarity and accountability. In that light, I welcome and support the code of conduct and its accompanying guide.

I do not think that the public will be hugely struck or impressed by the code; they may seek more, and more must be done that is outside the realms of such a code. Therefore, I will refer to other matters later. Nevertheless, I support the code. The report's key recommendations for the new code are: a requirement for Members to register remuneration from outside the Assembly and the amount of time that they spend on

those pursuits; a requirement to register family members who benefit directly or indirectly from Members' allowances; and the creation of sanctions in the code. I welcome those measures.

Of course, the code does not go far enough; there are other important and significant issues to consider. I have been involved in making certain complaints, which have, in part, exposed some significant weaknesses in our system with respect to expenses and the ministerial code. However, compared with the Westminster expenses system, it must be said that, in general, the Assembly's scheme does not offer the same potential for abuse. Nonetheless, there must be propriety in the Assembly's system.

I welcome the fact that the Assembly Commission is reviewing aspects of the office cost allowance; and, in particular, matters concerning the rental of premises that are possible under the rules. Those include the possibility of renting property from one's party or a family member; the setting up of a scheme whereby property is, in effect, purchased for a party or a family member using public funds; and the employment of a rent level with no independent verification and that, on occasion, appears to be outrageously high. All of those are possible under the current rules, which is a scandal and an abuse that needs to be dealt with.

I do not know whether the Assembly Commission is also looking at the employment of family members, which is referred to in the code of conduct simply in terms of registration. It would be good if the Commission were to look at that issue along with proper systems of, and procedures for, employment; verification that the person employed, whether a family member or not, has the appropriate qualifications for the post; and assurance that the person is fulfilling the post in the terms for which they are earning public money. All of that needs to be done.

There are issues concerning travel allowances and claims that are not subject to verification at present. I wonder whether a different system needs to be introduced for that.

My final point, which I stress as being of great importance, relates to the ministerial code. I regard it to be an appalling situation that there is a detailed code of conduct for Ministers but absolutely no mechanism for complaint or investigation. I have complained to the Office of the First Minister and the deputy First Minister — if any Department has responsibility for the code, it is that one — and it has said clearly that it does not investigate or adjudicate. It is a scandal that no mechanism exists and that that Department, having seen the gap, has not created such a mechanism.

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

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

**Mr Craig:** That was a very timely intervention.

I support the report. I commend the staff, and especially the Committee Chairperson, for their hard work. It has been a long drawn-out affair. I do not know how I ended up sitting on the Committee on Standards and Privileges, but I was parachuted in approximately one year ago, and the report was well under way then. The project has been ongoing for some time.

The report seems to have raised a lot of confusion among Members. I thought that the role and remit of the Committee on Standards and Privileges were well defined; the Committee looks into the life and standards of Members outside the Chamber. It is the role of the Speaker to deal with behaviour within the Chamber. I have no wish to question that role; it is the Speaker's privilege and it needs to remain as such. I find it alarming that Members are talking about issues outside the Chamber for which the Committee has no remit or role. When Members refer to expenses or mileage claims, those are the responsibility of the Assembly Commission. If people have issues or complaints about those matters, they need to approach the Commission.

**Mr O'Loan:** Does the Member accept that abuse of the rules, either current or new, is a matter for the Committee on Standards and Privileges?

**Mr Speaker:** A minute will be added to the Member's time.

**Mr Craig:** That is where the confusion arises. When issues around those matters have arisen, as they have done several times, the Committee has always given people their place. The Committee has written to the Assembly Commission several times. It has also written to the Speaker about internal issues on a number of occasions. However, we are not here to debate those issues; we are here to debate the new procedures relating to Members' behaviour outside the Chamber that we have come up with.

**Mr Ross:** Some of Mr O'Loan's comments related to issues that are outside the remit of the Assembly, but he also said something that was fundamentally not correct. He said that there was no mechanism in relation to the ministerial code. Does the Member agree that there is a mechanism to enforce the ministerial code; that that mechanism is the court system; and that Mr O'Loan should know that, because a member of his party was brought to the courts over a breach of the ministerial code? There is a mechanism there, and it has worked.

**Mr Craig:** There is a very clear mechanism. It is a complex and costly mechanism, but it was agreed in the same agreement that brought this body into being.

It is important to get back to the subject that we are debating, namely our remit and the new code of conduct that is being introduced. All Members have

signed up to and agreed the code of conduct relating to Members' behaviour outside the Chamber. There have been several breaches of that code in the past, some of which have proved to be clear breaches.

It was interesting to listen to another Member talk about the right to freedom of speech. We all have a right to freedom of speech, but all freedoms are limited. There is even a limit to what can be said in the Chamber, as the Speaker well knows. He has, unfortunately, had to exclude some Members because they went beyond those limits.

The right to freedom of speech is also limited outside the Chamber. Any Member who makes a racist or hate-motivated speech outside the Chamber will be brought to book. Therefore, all freedoms are limited. This code relates to Members' conduct when they move outside the accepted boundaries of what is agreed as normal within the code of conduct. It is in that area that the Committee, unfortunately, finds itself sitting in judgement on other Members.

There have been several spurious cases brought before the Committee. People have tried to use the rule book to persecute individuals in the Chamber for political reasons. That is wrong. However, I am sure that the new code of conduct will help Members. They need to read it and find out the limits that apply to their conduct outside the Chamber. It does not stray into their personal and private lives, and has no intention of doing so.

**Mr Paisley Jnr:** It is a pleasure to follow a Member who has given a considered view of the new rules. That is important. As my colleagues have done, I welcome this morning's discussion and welcome the work that the Committee has done on the code. I look forward to its publication, availability and implementation. That is important.

It is important that Members have the right to freedom of expression, and the code states that it is not the Members' beliefs that are important but how they talk about them. That is the craft of politicians. They should be able to get round those issues and comment meaningfully without impinging on their own freedom to hold certain beliefs, which, by the nature of a debating chamber, will be different and opposite to people on other sides and in other corners of the House. The establishment of that principle is important, and that is one of the most commendable pieces of action that has been taken by the Committee on Standards and Privileges. I commend all members of the Committee for recognising that.

The report also shows that as long as a Member does not actively encourage people to break the law, the new rules are for him or her. However, if a Member does actively encourage people to break the law, he or she will be punished by the rules. There have been instances in which Members have been questioned on

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whether they have breached the law. In one instance, it was found that a Member had breached the law, and appropriate action was taken. Stiffer penalties may apply under the new code of conduct, and that is important.

12.15 pm

Speaking personally, I have been somewhat of a case study for the Committee over the last two years, as some five or seven complaints have been launched against me by Members. Most of those complaints were repetitive and they all collapsed but, most importantly, they all cost the Assembly credibility as well as a considerable amount of money.

**Mr O’Loan:** Will the Member give way?

**Mr Paisley Jnr:** No. The Member who wants me to give way has launched several complaints against me, the last of which cost the taxpayer almost £10,000 to investigate, according to a letter that I received from the Northern Ireland Ombudsman. That £10,000 was spent investigating information that was all in the public record already. The complaint served only to call the House into disrepute, just for the sake of it.

Indeed, when Mr Tom Frawley gave evidence to the Committee on 4 June 2008 he stated that:

“the Committee does not want to become a referee in a game... which is about people scoring points. Inevitably, when complaints are being made, the opportunity arises to score points, so it is important that Members be constrained from discussing a complaint in public during an investigation.”

He went on to say:

“Constraints are not only appropriate, but necessary”

Those comments are recorded in the Committee’s report.

It is a damned pity that those constraints did not apply for the last two years. We have had people’s reputations dragged through the mud for one reason only: to make the cheapest, lowest, dirtiest, meanest, nastiest complaints possible against Members and their character, and for what? Is it for a couple of cheap votes? Those are a couple of cheap votes that the Members making the complaints will never, ever get. The House has been done a great service by the Committee’s report, and that service will go a long way.

Like most Members of this House, I believe, to echo the words of the new Speaker of the House of Commons, that most Members come to the House to do one thing, and that is to serve the people. By golly, we may disagree with each other, and there is nothing wrong with that. However, we are here by virtue of the fact that we want to serve our people, and to have one’s character questioned because of that is the lowest, nastiest, cheapest activity, which Members of the House should, quite frankly, be above. I hope that the new code of conduct helps those Members to rise above their own self-righteousness rather than being suffocated by it.

**The Deputy Chairperson of the Committee on Standards and Privileges (Mr W Clarke):** Go raibh maith agat, a Cheann Comhairle. I must declare an interest as a member of Down District Council.

I thank all those Members who have contributed to the debate. The issue of the integrity of the Assembly and the conduct of its Members is absolutely crucial in ensuring that there is public confidence in the political system. That public confidence is necessary if democracy is to be seen as effective. We cannot afford to be removed from the issues and concerns of the public. That is why the report on the new code of conduct is so important, and it is heartening that so many Members have recognised that.

As the Chairperson of the Committee has said, the report recognises that public confidence in politicians is low. It is unfortunate that the expenses scandal at Westminster has lowered the public’s regard for all politicians. However, that has happened, and it is important that the Assembly responds by providing the reassurance that is required. The new code seeks to provide that reassurance by increasing openness and accountability in the different ways that Members have discussed.

The Chairperson also spoke about the issue of double-jobbing, and it is important to emphasise that that refers to any employment outside the Assembly, and not only to the issue of dual mandates. The new code will continue to require Members to register any outside employment but in addition, it will require them to register how much time they spend in that employment and how much they earn from it.

The Chairperson also spoke about family members benefiting from Members’ allowances. I reiterate just how important it is that our new code addresses that. There must be openness and transparency about the circumstances in which family members benefit from Assembly allowances, whether through employment, the rental of offices or whatever.

The Committee is aware that the Assembly Commission is reviewing the guidelines on office cost allowances, and we all look forward to the outcome of that review. A recommendation on registering family members is, therefore, entirely without prejudice to anything that the Commission might decide to do about family members and expenses. However, in the meantime, for the sake of public confidence, there must be openness about what is happening and what arrangements exist. The public have a right to know how their money is being spent.

Another key issue raised by the Chairperson was that of sanctions, which gets right to the heart of accountability. The Committee believes that a range of sanctions should be open to the Assembly if a Member is found to have breached the code, the most important



of which is the ability to suspend a Member without pay: to hit him or her in the pocket. The public need to know that we are serious about holding Members to the high standards expected of them, and only through tough sanctions can they have that assurance.

Turning to the points raised by other Members, Alastair Ross made the important point that the majority of MLAs are dedicated, hard-working and honest. I concur entirely with that. The majority of Members are neither on the gravy train, nor are they feathering their own nests; they are here because they enjoy working for the community that they represent. It is important that that is recognised, and the best way of doing so is to have as much openness and transparency as possible. Openness and transparency are the key themes that underpin the code.

Francie Brolly raised the issue of the application of the code to Ministers. Let me make it absolutely clear, the Assembly's code continues to apply to Ministers, even in circumstances in which it overlaps the ministerial code of conduct. However, there is a point about complaints against Ministers that fall exclusively within the ministerial code of conduct. There is no mechanism for having such complaints investigated, except through the court system. The Committee recognises that that is an issue, and that is why it has raised the matter with OFMDFM.

**Mr Brolly:** I wish to make a point about the genesis of the ministerial code and my suspicions of it. It is important to realise that, elsewhere, Ministers generally come from the same party. Our circumstances are different here, and we should consider whether we should take on a code that may have had its genesis in a circling of the wagons by important members of one party in Westminster.

**The Deputy Chairperson of the Committee on Standards and Privileges:** Thank you for that intervention, Francie.

Rev Dr Robert Coulter spoke about public confidence, which is crucial to what we are doing here. Public trust and confidence are at an all time low. That is why the new code is so timely.

Brian Wilson spoke about the way in which Members express political opinions. That was an important issue for the Committee, which spent considerable time discussing it. We agreed that Members must be free to express political opinions; there can be no question about that. However, we agreed that Members must consider their conduct and the manner in which opinions are expressed. There was unanimous agreement at the time that new principles should be introduced.

Paul Maskey spoke about the events at Westminster and the way in which the system there has failed. That goes to show how important it is that, in devising our own tailored code, we should learn from other places,

but, ultimately, we must show leadership ourselves and take action where we see that it needs to be taken. That is what the Assembly is doing.

I thank Allan Bresland for welcoming the code. David Hilditch made an excellent point that the code and guide should be among Members' most read documents. That is absolutely right. The code of conduct covers Members in all their activities, and, therefore, Members must continually ask themselves whether they need to register or declare an interest.

The public can have confidence in the Assembly only if there is such openness and transparency. The code of conduct and guide should not gather dust; rather, they should be working, living documents.

Declan O'Loan supported the report, and he pointed out that further work could be done. He also pointed out, rightly, that the expenses of the Assembly are not open to the same abuse as elsewhere. Nevertheless, that is not to say that they do not need to be reviewed. That is why the Committee called for an urgent review to address some of the specific issues that were raised by Mr O'Loan. He will be aware that the Commission has agreed to carry out a review that will address those issues, along with others. We all look forward to the outcome of that review.

Jonathan Craig referred to the role of the Assembly Commission, and it is clear that, on occasions, issues will develop as a result of the overlap in the Committee's and the Commission's remits. When that happens, the Committee will work closely with the Commission. After all, we all want to achieve the same goal, which is to improve public confidence through openness and transparency.

Ian Paisley Jnr raised the issue of the complaints against him, and the Committee's position on those complaints is set out in a previous report, which is also on the website.

The public are looking to the Assembly —

**Mr Ross:** The Member has been going through some of the comments made by Members. I do not know whether he deliberately skipped over what Mr Brian Wilson said, but is the Deputy Chairperson as surprised as I am that Mr Wilson was able to come out with a number of problems that he had with the code, yet during the past two years he did not raise any of those problems in the Committee meetings?

**The Deputy Chairperson of the Committee on Standards and Privileges:** I agree, although I cannot speak for the Member. Nevertheless, he had the opportunity to do so. As other Members said, the meetings were well chaired, and the Committee took a couple of years to draft the report. Maybe the Member wants to say a few words, and I will be happy to give way.



**Mr B Wilson:** Obviously, the point that I was making I made on a number of occasions about particular cases during the year, which I felt that we should not have dealt with because of the political content. I do not feel that it is a major issue as far as the code of conduct is concerned, so I was happy to let it go. However, when we were discussing cases, I did, in principle, make the point that we should not be dealing with those particular cases.

**The Deputy Chairperson of the Committee on Standards and Privileges:** I hope that that clarifies the situation for Members.

The public want the Assembly to show that it understands the concerns that exist and to demonstrate that it will take the necessary robust action to address those concerns. The new code of conduct, with its twin focus on increased openness and accountability, is a hugely significant step towards addressing those concerns. The Committee believes that the new code will provide a more transparent system, which will ensure that Members put the interests of the public ahead of their private interests, and it will also improve public confidence and trust in the Assembly. The Committee urges the Assembly to adopt the report's recommendations and agree the new code of conduct.

Finally, I thank everyone who helped to draft the report, including former and current staff, and who put a lot of effort and true diligence into putting it together. It was a large piece of work and it took a considerable time. However, I am sure that Members will agree that it was worth doing it right. The staff included Kevin Pelan, Paul Gill, Eleanor Murphy, Hilary Bogle, Carla Campbell and many others. I would end up sounding like Barry McGuigan if I were to continue. I thank all those who played a role in producing the report. I must also mention the interim commissioner and his deputy, who played a massive role in shaping the document. I thank the Chairperson and all the Committee members who worked well together, sometimes in difficult circumstances. It is hard to leave the baggage outside the door. Nevertheless, the Committee was mature in coming together, and it has produced a robust report. All Members must make themselves au fait with the document, look at it continually and check whether they have to register or do things differently.

*12.30 pm*

We must all understand that it is a living document. It must not be thrown in the corner of a constituency office and left to lie there, or be used to prop up a table. The document's purpose is to keep Members' right.

*Question put and agreed to.*

*Resolved:*

That this Assembly approves the Report of the Committee on Standards and Privileges (NIA 136/08-09), and agrees the Northern Ireland Assembly Code of Conduct and the Guide to the Rules Relating to the Conduct of Members, included at Annex A of that Report.

## COMMITTEE BUSINESS

### Impact of Economic Downturn on Businesses in Northern Ireland

**Mr Speaker:** The Business Committee has allowed up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**The Chairperson of the Committee for Enterprise, Trade and Investment (Mr Durkan):** I beg to move

That this Assembly takes note of the issues raised by the Committee for Enterprise, Trade and Investment's scrutiny of the economic downturn, particularly the impact of the downturn on business and the local economy and the ideas submitted by the business sector on how Government can assist business and the economy during this time.

Over the past number of months, the Committee for Enterprise, Trade and Investment has been taking evidence from key stakeholders on the impact of the economic downturn on the wider business sector here. I thank those businesspeople who took time to host visits by the Committee, and all who attended Committee meetings to provide evidence, for giving their valuable time during what is a very difficult period for the business community. I also thank all those people from organisations that represent the interests of business, the social economy, workers and consumers for taking the time to come before the Committee to provide evidence on the difficulties faced by their sectors in the current climate.

The information provided by businesspeople and organisations representing them has given the Committee a good insight into the problems faced by business and the issues of concern to business at this time. The Committee is also grateful to those organisations within Government or attached to Government that provided information and evidence, as well as to the members and staff of other Statutory Committees who took time to respond.

The Committee is due to meet representatives of the banks today. They are in the Building waiting for us; it is not good for us to keep bankers waiting, even in these times, so some of us will attend to them during the lunchtime suspension.

Throughout the scrutiny exercise, business representatives have explained to the Committee where they now find themselves as a result of the downturn. They have told us where they need to be to survive and prosper and what support they need from Government and the Assembly in order to get there. Those are people who represent businesses that, prior to the recession,

were prospering, and which are often recognised as leaders in their fields. They are mostly businesses that continue to work well, despite current conditions. However, they ask us to recognise that their continued success is often dependent on the success of others and on the support that they and others receive from Government.

They are not just asking for handouts or subsidies; they are asking for a realistic approach from Government, agencies, and all of us in the public-policy arena, to assist them in practical ways in order to ensure that our economy is supported through this difficult time to a more prosperous upturn in the future.

Through all that feedback, businesses are telling us in the Assembly of the problems and issues that they now face: problems with cash flow and liquidity; banking and finance; utilities; legislation; and Government support and processes. However, they are not only telling us their problems, some have been commending Government for some initiatives and delivery, and are offering constructive ideas for further solutions or better implementation of them.

They have made suggestions about public-sector capital construction and maintenance projects to secure jobs, about skills retention and development, and about economy proofing of various Government decisions, including planning, public procurement and payment of Government invoices. They have also offered suggestions about Assembly and Executive decisions, research and development, funding and investment in business, and facilitating businesses to support each other. They have made a number of proposals on how to support specific sectors, such as tourism, retail and the social economy.

It is evident from what the business sector is telling us that the solutions to the problems that it now faces do not lie solely within the remit of any one Department. It is also evident that neither the Department of Enterprise, Trade and Investment (DETI) nor any other Department can work in isolation to resolve the problems of business and the economy. Devolved Administrations cannot work in isolation from wider Government and European intervention. That is further recognised in the evidence that other Committees have provided. All Statutory Committees provided evidence as part of our scrutiny, and that demonstrates that the solutions to the problems that are faced by business touch on the responsibilities of all Departments.

We detected strong, positive anticipation of the forthcoming Barnett review. We sensed a strong welcome from a number of the organisations from which we took evidence for the remit and terms of reference of the review that the Minister of Enterprise, Trade and Investment has established. People hope to see some

positive ideas and some well-meshed implementation flowing from that.

The business sector is telling us that Government must help now, during the downturn, through initiatives such as the bringing forward of public-sector capital projects to provide employment and to maintain and upgrade the skills base of the workforce; providing support and encouragement for innovation and research and development; investing in energy efficiency, renewable energy and renewable technologies; encouraging mentoring support for small and medium-sized enterprises from larger, successful businesses; and intervening with the banks on behalf of business to ensure that the banking needs of the business sector are better understood and properly met.

A further simple initiative is to ensure that Government invoices are paid within the 10-day target, and we shared with the other Statutory Committees the statistics on the payment of Government invoices that the Minister of Finance and Personnel provided. We have now shared those statistics with all Members, and we encourage all the other Committees to follow up on that to ensure that all Departments meet that target.

Businesses have told us that they not only need support to get through the downturn but that they need support from Government now to help them to reach a position whereby they will be able to take full advantage of the upturn when it comes. Recently, we have heard some in the media say that the worst of the downturn is behind us and that an upturn can be expected towards the end of 2009 or the beginning of 2010. Other reports suggest that we will go through further pain next year; some talk of a jobless recovery in some sectors before long-term sustainable recovery in the economy is achieved.

The only certainty is that we do not yet know for certain when the upturn will come. No Member will deny that the Assembly has a responsibility to ensure that, when the recovery does come, we are poised to take full advantage of it for the benefit of the local economy. The business sector is giving a clear message that not only does it need our support now to get through difficult times but that it wants to know that there is a clear framework for initiative and intervention for the future.

When the upturn comes, the business sector wants us to be ready to attract more long-term sustainable foreign direct investment and to support our indigenous businesses of all sizes to maintain and grow their markets, their levels of employment and, where appropriate, their export markets. It wants us to be ready with a skilled and motivated workforce in all sectors of the economy and to be ready to support business financially to maintain cash flow and liquidity to help survival and, beyond that, growth. It wants Government to be

ready with appropriate infrastructure in place for planning, utilities, communication and IT networks.

The business sector is telling us that it requires increased efficiency and effectiveness from Government to cut through unnecessary red tape and bureaucracy and to ensure that more of the initiatives that are announced by the Government in London are better co-ordinated with the devolved authorities and with better liaison with the banks here so that initiatives are better understood and can be picked up on. Business wants to ensure that, where the Government are involved, services to businesses are delivered where and when they are needed, whether those are services to directly support business, to regulate business or to carry out some other enforcement activity.

I ask the Assembly to note the issues that have been raised in the report and to use the debate to reflect on the interest that the House and all its Committees have in the various sectors of business and the positive support that they have shown. As Assembly Members, we want to make it clear to businesses that we are behind them and we get their message about how they want us to help and support them.

I want to take this opportunity to inform the House that I will step aside as Chairperson and member of the Committee for Enterprise, Trade and Investment. I thank my fellow members for their good work and effort during my time on the Committee, although I acknowledge that that work did not involve a lot of travel. I thank the Committee staff: the Committee Clerk and the Assistant Assembly Clerk and the previous Committee Clerk and Assistant Assembly Clerk. I also thank the Assembly's Research and Library Service and all the Committee support in the Assembly.

**Mr Hamilton:** I begin by acknowledging the Chairperson's comments. Opening the debate may be one of his final public duties in that role. On behalf of my colleagues, I acknowledge and thank him for his chairmanship during the past two years.

In the 10 minutes that the Chairperson had to make his opening remarks, it would have been difficult to do justice to the hours upon hours of evidence that the Committee has taken during the past number of months and the reams and reams of papers that were produced as a result. In such a short time, it would be difficult to do justice to the many points that were raised. In the time that is available to me, I want to talk about the Assembly's preparation for economic recovery rather than about the recession.

So much evidence has been taken, and Members have so much knowledge from their own experiences, that it would be easy to wallow in collective self-pity about what has gone wrong over the past number of months. However, now is the time to turn our attention to recovery and to prepare for the inevitable upswing.

In saying that, I do not want to be misinterpreted as having my head in the sand. From the evidence that the Committee has taken and from personal contact with business in my own area and beyond, I understand that times are tough and that businesses face challenges.

However, to look back at what went wrong and caused the economic downturn is no way to recover from it and to set Northern Ireland up for the future. The Assembly must acknowledge that through us, as elected representatives, and through the Departments and Ministers, action can be taken to correct problems and improve the situation for the future so that Northern Ireland can take advantage of the recovery when it happens.

I want to focus on three broad areas that are germane to the Department of Enterprise, Trade and Investment. The Chairperson is correct when he says that no Department is immune from the subject: so broad is the remit of economic development that every Department has its role to play.

The first of the three specific areas that is relevant to the Department of Enterprise, Trade and Investment is energy. During the past number of years, we have become used to talking about fluctuating energy prices and how they present problems for business in general and, particularly, for businesses in Northern Ireland. Northern Ireland imports 99% of its energy and is, therefore, dependent on energy from elsewhere. That comes with consequential costs.

I am aware that consultation on the strategic energy framework is ongoing. That presents an opportunity for a bold move forward for energy in Northern Ireland. I have been an unashamed and unabashed advocate of such measures as expanding the natural-gas network and opening up existing licensed areas to much better competition. I have also supported improving and making smarter the electricity-grid infrastructure, not only because it creates efficiencies that can be passed on to businesses but because it allows the undoubted renewables potential in Northern Ireland to be tapped into. That is a necessary step towards achieving the Assembly's goal. It brings with it job creation, safer and more secure supply, and, hopefully, competition in prices in the longer term.

The second area is telecommunications. I welcome the coming ashore of the Project Kelvin cable. The Minister and the Chairperson will be glad that I will not dwell on where the cable has come ashore, or where it will eventually end up; that does not matter. What matters is that soon Northern Ireland will, for the first time ever, have direct connectivity internationally.

*12.45 pm*

That is the important point. It is good to see that happening in tandem with the likes of next generation broadband access, and BT will roll that out in the



Balmoral exchange area. There is a fund of £15 million for next generation access and a £1.9 million fund for rural broadband access. We usually talk about infrastructure as bricks and mortar and cement and tarmac on the ground, as I did last week in the Budget debate. However, given that our economy must compete globally, giving remote areas the direct connectivity of next generation access is every bit as important — if not more so — as having a good road infrastructure.

In the limited time left to me, I will talk briefly about tourism. There was worrying evidence of a drop of as much as 40% in North American guided-tour visitors. Northern Ireland has massive tourist potential, and I am glad to see the Titanic project moving forward. There was good news about the Giant's Causeway visitors' centre, and there have been improvements in our marketing and branding strategy for Northern Ireland. It is good to see that, even in an economic downturn, visitors from the Republic of Ireland increased by 14% in the past year.

There are actions that the Department can and should take. Those are three broad areas in which I would like to see continued work.

**Mr Butler:** Go raibh maith agat, a Cheann Comhairle. Tá mé sásta go bhfuil cead agam labhairt ar an díospóireacht seo inniu.

I wish the Chairperson of the Committee all the best, whatever his future intentions may be. He did not tell us where he is going. I thank him for all his work over the past year and in particular for this motion. I have not been a member of the Committee from the outset of the inquiry into the economic downturn; however, we have received a strong sense of it from written and oral evidence. We travelled to Northwest Marketing, in Mark Durkan's constituency, and listened to representatives of business, including the CBI and the Institute of Directors. That gave us a clear sense of how the economic downturn affects many small and medium-sized businesses and how they are trying to weather the storm and get through the crisis.

We should also recognise that the Executive and the Assembly have come in for criticism. We may not have the powers to deal with the issues that affect us in the economic downturn, but decisions have been made on public-sector construction schemes, industrial rates have been capped, and regional rates have been frozen. The Minister announced recently the short-term aid scheme to help businesses. Moreover, as has been said, dealing with the economic downturn is not the responsibility of just one Department or Committee — even though it was the DETI Committee that tabled the motion.

I am also a member of the Committee for Employment and Learning and have seen how the economic downturn has affected apprenticeships. That Committee's report, which was debated in the Chamber yesterday, contained

evidence that the Committee had gathered from Bombardier Shorts, NIE, Phoenix Natural Gas Ltd and the construction industry. It gave Members a sense of how the economic downturn has affected apprenticeships. I hope that the scheme announced by the Minister for Employment and Learning will benefit apprenticeships. On public procurement policy, the report suggests that quotas should be set so that those entering apprenticeships can get a fair chance. We are attempting to change the perception of apprenticeships so that they have equal status to other career paths such as those through university.

The Chairperson and Simon Hamilton touched on the growth areas of telecommunications and the energy industry. The Committee has discussed the issue of the single energy market and how to get it up and running, because it would be hugely beneficial to all. The Minister should also consider the use of renewables, given the recent evidence on the role that that can play in job creation.

The Chairperson mentioned that some Committee members will meet representatives from the banks later today. Small and medium-sized enterprises in particular are still being squeezed by the banks through lending restrictions. Representatives from the Northern Ireland Manufacturing Group told us how difficult it is for small and medium-sized enterprises to secure loans and overdraft facilities. The group also said that people are losing their jobs because of the banks' approach to the matter. I hope that the banks will play their part in dealing with the issue.

**Mr Speaker:** The Members should draw his remarks to a close.

**Mr Butler:** Go raibh maith agat.

**Mr Cree:** I also thank the Chairperson for securing today's debate and for steering the Committee through the investigative process. I, too, am surprised and a little disappointed to learn that he has been recycled.

Like those in the rest of the UK and in the Republic of Ireland, Northern Ireland's economy has been hit hard by the credit crunch and the resultant recession. Despite some reports of green shoots of growth, we are still very much in the grip of the downturn. The most recent quarterly review confirms that fact, as unemployment now sits at 6.2% for the period from February 2009 to April 2009. The most recent claimant count, which measures the number of people who claim unemployment benefits, stood at 48,000 in May 2009, and the number of claimants is continuing to rise significantly.

Given the mountain of debt in which the Labour Government have placed the United Kingdom, there is the ever-present danger that further squeezes on public spending will result in job losses in the public sector, on which Northern Ireland relies heavily.



The conclusion that can be drawn from the Committee's research is that the Department of Enterprise, Trade and Investment and much of the Executive, contrary to what the Minister said in January, can and should be doing much more to help businesses in Northern Ireland.

The two areas on which we should focus with more energy are first, helping small and medium-sized businesses to stay afloat, and secondly, helping to lay the foundations for them so that they and emerging businesses can take advantage of up-and-coming opportunities. As the Chairperson said, cash flow is the biggest single problem that faces small businesses in Northern Ireland. Despite the taxpayers' unprecedented recapitalisation of the banking system, banks in Northern Ireland are largely failing to facilitate local businesses adequately and, therefore, our economy. Failure in that area is costing jobs.

Interest rates are down, but banking costs are not. Thirty-three per cent of members of the Federation of Small Businesses have said that bank-imposed changes to their financial arrangements have made them less well off. Additionally, credit insurers are often refusing to cover those otherwise good businesses, forcing them to go back to the banks because they cannot get credit elsewhere. That allows the banks to increase their margins and to squeeze those of our businesses.

On top of that, some significant reports suggest that although the availability of credit in Great Britain is easing, banks here are taking a different approach. It is a disgrace that it can even be suggested that banks are taking advantage of a situation that they and their parent companies were responsible for making. I urge the Minister to outline the steps that she has taken to ensure that that does not remain the position of the banking sector in Northern Ireland.

The second area on which the Minister should focus is facilitating businesses to make the most of emerging opportunities. The main vehicle for that process is Invest Northern Ireland. The evidence that we have accumulated confirmed what many of us have known for some time; that is, Invest Northern Ireland is too formulaic, too process heavy, too risk averse and too biased towards large organisations.

The Minister's current review of Invest Northern Ireland and her Department is, perhaps, too little too late for many businesses, and its remit is too narrow to address adequately the inherent problems in that body. However, I ask the Minister to provide an update on progress so far.

I have not had time to address many other matters, most notably the problems of public procurement and the limitations of the Northern Ireland Tourist Board. However, I welcome the Committee's work, I commend

it to the House, and I look forward to the Minister's response.

**Mr Speaker:** The Business Committee has arranged to meet immediately upon the lunchtime suspension. Therefore, I propose, by leave of the Assembly, to suspend the sitting until 2.00 pm, when the next Member to speak will be Mr Sean Farry.

*The sitting was suspended at 12.55 pm.*

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

2.00 pm

**Mr Neeson:** I welcome the motion. The Enterprise, Trade and Investment (ETI) Committee has been very active in trying to address the issues that have arisen because of the economic downturn. Although this is a take-note debate, the Committee has no firm proposals to put to the House at this time. The Committee will, however, meet the Minister of Enterprise, Trade and Investment on Thursday to deal with those and other issues.

Although unemployment is increasing, I can recall that, in the early 1980s, when I was a Member of the Assembly that existed then, unemployment was running at more than 20%. I am glad that Jim Wells is here today, because it is somewhat ironic that on this date, 23 June, in 1986, the 1982 Assembly collapsed. Jim and I are just two of the survivors from that time; after it collapsed, unfortunately, I went on the dole for 18 months, so I can understand how the unemployed feel.

However, I believe that there are opportunities for the Executive to intervene, particularly in the construction industry. Recently, Mike Smyth and Dr Mark Bailey put forward a very strong case for increased investment in social housing. In their report, entitled 'Addressing the Economic Downturn: The Case for Increased Investment in Social Housing', they state:

"Housing projects produce a "local economic multiplier effect" — creating local employment opportunities and retaining investment in the local and regional economy. The "local economic multiplier effect" encompasses further economic activity (jobs, expenditure or income) associated with additional local income, local supplier purchases and longer term development effects."

I very much support Minister Margaret Ritchie's attempt to get greater investment in social development. However, it is not all negative. I welcome the developments at Bombardier in particular. Recently, new orders have come in for the CSeries aircraft, and planning permission has been granted for a new building at the Bombardier site. Realistically, however, the banks in particular have a major responsibility to release funds. That has created big problems for local companies in Northern Ireland and for the housing market.

From a local perspective, I am concerned about the downturn in global motor car production, which has affected local companies such as Ryobi Ltd and Schrader Electronics. To counter that, there are major opportunities to develop the green economy in Northern Ireland. We only have to look at how Harland and Wolff and other companies have taken advantage of that.

As I said, the ETI Committee has been very active in addressing the issue of the economic downturn. It is important to note that the Committee has received a number of submissions. If we are to move forward, the

Committee and the Department of Enterprise, Trade and Investment (DETI) must take heed of what businesses in Northern Ireland are saying. I support the motion.

**Mr Shannon:** I support the motion. The issue is important, because the economy is the key to the future prosperity of the Province. The BBC states that the number of people out of work increased by 1,900 in May, bringing the total number of people unemployed in Northern Ireland to 48,000. That indicates the economic problems that are being faced. The unemployment rate gives people an idea of the problems in the economy.

Our unemployment rate is higher than it has been for a long time. Although the rise of 1,900 was the smallest in the past seven months, the previous month's rise was similar, at 2,000. In the 12 months to May 2009, the unemployment figure increased by 23,010. That is slightly higher than the UK increase, but just over half of the annual increase in Northern Ireland has occurred in the past six months.

It is not simply a Northern Ireland problem, it is a global one. My colleague the Enterprise Minister, Arlene Foster, stated that:

"Global markets are continuing to adjust to the impact of the current downturn and we are still experiencing its negative effects."

There is a saying that I do not particularly like, but it is true and it applies to the economic issues that we are involved in: when America sneezes, we are the next to catch the cold. That applies to many. America's recession has affected the rest of the world, and it will undoubtedly take us some time to rebalance our economy. It also illustrates that the problem started in a place that was beyond our control.

We must not forget that the Northern Ireland unemployment rate remained below the UK average of 7.2%; was lower than the European Union rate of 8.3%; and was lower than the Republic of Ireland's rate of 10.6% — those figures are all as of March 2009. Our unemployment rate is lower than other regions in the rest of the world. I suggest that it is not all doom and gloom. According to the Ulster Bank, less dramatic increases in job losses suggest that many of our local sectors that were hit by the downturn reacted by cutting jobs early in the economic cycle. The manufacturing and construction sectors, for example, shed excess jobs very quickly when demand started to waiver. That data suggests that the rate of economic contraction is deteriorating at local and national levels.

A report from the Ulster Bank stated that business activity in Northern Ireland fell by almost 2% in March, with the sharpest decline being in the construction industry. We feel that particularly harshly in the Strangford area, which I represent, where the construction industry employs many people. The economist Richard Ramsey said that although the economy was still in recession, the rate of decline had eased. Northern Ireland firms

continued to reduce their staffing levels at a rapid rate in March, and the pace of decline was more marked in the UK, albeit marginally, for the first time in 16 months. Richard Ramsey also predicted that unemployment in Northern Ireland will rise above 8% by the end of 2009, and will average 9% in 2010. However, he said one thing that I think gives us all hope; that unemployment will fall back moderately in the second half of next year as economic recovery takes hold. He also believes that the worst of the recession could have passed. His words were:

“It is our belief that the very worst of the downturn is behind us and, while the Northern Ireland economy will experience a deep contraction of around 4 per cent this year, we expect it to return to modest growth in 2010.”

There is hope for the future. The facts and figures tell us that, slowly, there is economic hope, and that now is the time for the Assembly to initiate a rebuild through our Minister and through DETI. I have every confidence in our Minister’s ability to do that and to initiate a programme in which we will see new growth.

There are opportunities for fish processing in my constituency, and in south Down. There are opportunities in farming for further food processing, and Willowbrook Foods has recently employed another 50 people. There are opportunities. There are also opportunities in tourism and in the construction industry, where I believe social housing will play a very clear part. We debated social housing yesterday, and there is no doubt that the construction industry, and social housing in particular, can afford our economy a much-needed boost at this time. I am sickened by people having to sign on for employment support allowance when they want to work. They want opportunities, and social housing newbuilds will provide opportunities for many people across the Province, particularly in my constituency. If all Departments focus on that, and if DETI continues its efforts, I believe that we can and will succeed.

**Mr Deputy Speaker:** Will the Member please draw his remarks to a close?

**Mr Shannon:** We must listen to the Committee and take on board its recommendations. I have every faith in the Minister to do just that.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the report and the debate, and thank the Committee for its work and the opportunity for us to explore these important issues.

I would like to set out the relevant issues on which the Committee for Finance and Personnel has been focusing. I noted several familiar themes among the suggestions that the business sector presented to the Committee for Enterprise, Trade and Investment on how Government can assist business during the downturn.

Those include the need to bring forward capital-investment projects to support the construction sector and that plans for those projects should be communicated effectively to the sector; the important role that local banks can play in increasing lending capacity to small and medium-sized enterprises (SMEs); the need to boost the availability of loan finance to the social-economy sector; the need to ensure that Departments meet targets for prompt payment of suppliers, and the wider role that public procurement can play in supporting local enterprise; and the need for Committees to challenge and monitor Departments’ progress in delivering the Programme for Government, with its primary focus on the economy.

I want to highlight recent and planned work by my Committee to examine those important areas. With regard to the construction industry and DFP’s role as sponsor Department, the Committee heard evidence from the Construction Industry Forum for Northern Ireland about the forum’s role in helping to alleviate the slowdown in the industry. The first evidence session was held on 24 September 2008, and another on 29 April 2009. The Committee received evidence that focused on the recommendations of the interim report of the forum’s procurement task group.

The Committee also took evidence from DFP officials on progress in 2008-09 on the Department’s investment delivery plan. On 1 April 2009, the Committee took evidence from departmental officials and from the chief executive of the Strategic Investment Board on options available for financing the Executive’s investment strategy, which will have a major impact on the construction industry. In the wider economic context, my Committee has continued to monitor the development of a regional economic strategy, for which DFP has lead responsibility, and the implications that the strategic reviews that are being taken forward by other Departments will have on that.

My Committee has also been scrutinising the local banks and mortgage lenders. Although financial services are a reserved matter and the Assembly does not have the power to legislate on them, the Committee decided to challenge and monitor what local banks and building societies are doing to help their customers to weather the storm of the recession. The Committee’s role in that respect is to shine a light on what local financial institutions should be doing and to apply political pressure in a very public way to encourage them to do so.

The Committee held initial evidence sessions in January with the four local banks and the British Bankers’ Association, and last week the focus was again on the local picture when the Committee held hearings with the Bank of Ireland, First Trust and Ulster Bank as well as with local mortgage lenders including Abbey, Halifax and Nationwide. Those

discussions included the availability of mortgages locally, including to first-time buyers — an issue that is also important to the construction sector; passing on base-rate cuts to mortgage lenders; the level of fees and charges; mortgage difficulties and repossessions; the availability and cost of loans and overdrafts; the calling in of loans from businesses; and the progress of recent initiatives to stimulate lending and to support borrowing. Last week's session also discussed the proposal from the Ulster Community Investment Trust for local banks to support the availability of loan finance to the social-economy sector.

It became clear in January of this year that, although there was no shortage of anecdotal evidence, there was a lack of hard data on the realities of what it is like to try to borrow money here. In advance of last week's session, the Committee took steps to get the local picture. We received a briefing from the Institute of Directors that showed that bank lending conditions for businesses have worsened since the start of the year and that despite the Bank of England's interest rate cuts businesses are still paying higher interest rates because of a change in how the banks lend. In addition, businesses are finding that arrangement fees and operating charges are more expensive. There is also evidence that the North is falling further and further behind in the uptake of Government-sponsored schemes.

Those were just some of the issues that my Committee raised with local banks and mortgage lenders. Last week's session was part of an ongoing engagement with local financial institutions to encourage them to show flexibility in meeting the needs of the local economy during the downturn. My Committee intends to support the Executive in their efforts to ensure greater interaction and mutual support between the financial services sector and the Executive.

2.15 pm

**Mr Wells:** It is appropriate at this stage to pay tribute to the outgoing Chairperson of the Committee for Enterprise, Trade and Investment. I have sat under Mr Durkan's chairmanship for a year and have found it very enjoyable. No doubt, he is grooming himself for a higher position. *[Laughter.]* At least he has the option of being the nominating officer for his party. All three DUP Committee members are also leaving, but I assure Mr Durkan that we are not leaving in sympathy or out of panic at the prospect of working with his successor. He can take comfort from the fact that his Committee is seen as a step to higher things; although, for some of us, it is not a step to anything too high.

Dealing with the difficult period in the economic cycle has made it an interesting time for the Committee, but we should not be entirely pessimistic. During my year in the Committee, we visited companies that were weathering the storm remarkably well, such as Irwin's

Bakery in Portadown. It employs 500 people and has lost only a couple of staff during the recession. It has battened down the hatches and found new products and new markets. It was very encouraging to find that that company was doing remarkably well given the conditions. In my constituency, B/E Aerospace, which manufactures aircraft seats, has managed to retain all its employees in 2009. There are storm clouds ahead for the aviation industry but given the downturn in the profits of most major airlines, it is remarkable that B/E Aerospace has managed to retain its workforce.

The news is not entirely bad but, realistically, certain issues are causing major problems. Many of us are trying to identify quick fixes. There is a recession and mass unemployment, particularly in the construction sector. Indeed, I understand that 11,200 people in the construction sector are unemployed; those are mostly men. In Kilkeel, in my constituency, that is evident in simple things such as the number of men who turn up at primary school gates to bring their children home. That is not something that would have been happening three or four years ago, but those are men in the building trade who simply have no work. I dealt with one man who has worked as a plasterer for 38 years and who had never signed on the dole in his life. He said that his walk to the jobs and benefits office on Newry Street in Kilkeel was the longest 50 yards that he ever walked in his entire 38 years of adulthood.

One or two issues could be tackled immediately to provide quick fixes. We must bring forward every infrastructure project that is on the stocks of every Department. Nothing would prime the economy quicker than undertaking infrastructure projects and getting the building trade back on an even keel. There is a huge multiplier effect in the building industry, and we must tap into that as quickly as possible.

I also draw the Minister's attention to the iniquitous position that many companies find themselves in when dealing with the banks. The official bank interest rate is currently 0.25%, and the London interbank offered rate is 1.25%. Why, then, are banks in Northern Ireland charging between 6.25% and 8.75% to ordinary companies that have a good capital base and that have been paying bills and making monthly repayments on a regular basis? Why are those companies being hit with interest rates that are up to 40 times higher than the base rate? Somebody somewhere is making a fortune in the margins between what they are paying for the money and the rate at which they are lending it.

Another issue is worrying me considerably. My daughter is buying a home and is trying to get a mortgage. Needless to say, she is reassured that her own father will underwrite whatever loan is made. However, it has been interesting to see how difficult it has been for her to obtain a loan. If young people have difficulty obtaining



loans, that will have a knock-on effect on the construction trade.

One broker told me that an enormous number of lenders has pulled out of the Northern Ireland mortgage market. Those lenders are perfectly content to take our savings, but they are not prepared to lend back to the community in the form of mortgages. There are only four or five active players in the market. We must address the issue, because lenders cannot be allowed to take our money —

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

**Mr Wells:** Lenders cannot be allowed to take our money but then refuse to lend it back to strong folk who are guaranteed to repay.

**Mr Deputy Speaker:** I am delighted to hear that someone can get money out of you.

**Mr McFarland:** I thank the Chairperson of the Committee for bringing forward the debate. My party colleague Leslie Cree was right to suggest that even in the middle of a downturn, measures can still be taken to solve the situation, to keep businesses solvent, to keep people employed and to come out the other end of a recession looking stronger.

I wish to focus on the various Government finance schemes on offer to businesses across the UK. It appears that, like many other matters, Northern Ireland is a place apart on that issue. The Executive have been sluggish in ensuring that such schemes are being delivered effectively in Northern Ireland. The CBI stated to the Committee that there is difficulty understanding the various finance schemes throughout the UK, and there is a feeling that more services are announced than are actually made available in the end. Similar concerns are shared by the Institute of Directors and the Federation of Small Businesses (FSB). However, I welcome the Department of Enterprise, Trade and Investment's MATRIX report of what support is available, and I hope that it goes some way to helping local businesses. The FSB stated to the Committee that less than 3% of small businesses say that their banks are making the enterprise financial guarantee scheme available to them. It also informed us that one third of small businesses say that their banks are less helpful now than they were before the credit crunch. Taking into consideration that reduced cash flow can, and does, cost jobs, those reports are extremely worrying.

The Bank of Ireland, the Northern Bank and the Ulster Bank are listed as official providers of the enterprise guarantee scheme, and I ask the Minister what steps she has taken to ensure that they are fully delivering the scheme to Northern Ireland businesses. This morning, the Committee for Enterprise, Trade and Investment had a meeting with the banks, and it is interesting that they confirmed that their priority is to

ensure the stability of the institutions, so that the banking world is secure and stable. That comes ahead of them providing for businesses, which might explain some of the issues around high interest rates.

Another area that causes some concern is the Departments' inability to deliver on their commitments that public sector invoices will be paid within 10 days. Regardless of the political parties from which the Ministers of all Departments come, surely the Departments must improve in that area. What, if any, assistance has the Department of Finance and Personnel, and, particularly, the performance and efficiency delivery unit, given in that area to ensure that the invoices are paid on time?

The euro exchange rate against the pound is an ideal situation for our tourism industry. People in the UK will wish to stay at home because they cannot afford to go to Europe, and Northern Ireland is a good place for them to visit as tourists. Equally, people in the European Union, either from the Republic or from Europe, will be encouraged to come here because of the strong euro. However, it is most unfortunate that there have been a series of attacks in the past week. I listened to the radio this morning and heard that there is anecdotal evidence to suggest that tourists are driving up from Dublin and going to Scotland rather than staying here, because they are concerned about the potential violence and the pressure of the past week. Therefore, it is a serious situation. We had an opportunity to develop our tourism industry, but it is going to be damaged by people behaving badly, and we need to find some way to deal with that.

We have made progress in certain areas, and I welcome that, but we must not become complacent. I hope that the Minister will take the report on board. It will be of use to her and her Executive colleagues. I support the motion.

**Mr O'Loan:** We know that we are in the midst of a global recession. Many people said that they expected 2009 to be the most difficult year, and we are hopeful of matters improving as we move into 2010. We are already half way through 2009, and there has been a lot of pain. I am not oblivious to the fact that there have been major job losses in some firms, as well as heavy job losses in the construction industry. Having said that, we are getting through, and we are managing. A lot of good business is still being done, and investments are being made. Companies are thinking of and planning for the future.

There has been much talk about whether the recession will be V-shaped, U-shaped, or W-shaped with a double dip. I hope that we do not enter that final scenario. Although we must not be complacent, we must look for the positives.

I want to make a few remarks on some unrelated but, I hope, valid points. I have heard good reports about Invest Northern Ireland. It is fairly common to hear critical reports about Invest Northern Ireland (INI), but it has done very good work with its seminars on the credit crunch, and the follow-ups that provide diagnostic assistance to companies. The companies that have availed themselves of that assistance know how beneficial it has been. We should recognise that non-client companies have been included in that. Even before the recent announcement, INI was providing training support to keep people in work and improve the competitiveness of companies.

Comparisons have been made between INI and the IDA in the South, where the situation is now very different. Nonetheless, I have little doubt that the good times will come again. The IDA has been described as a world-class organisation of its type, and, therefore, the comparisons between it and INI must be taken seriously. The Assembly has heard the view of Peter Robinson and others that we are, inevitably, in competition with the South. That view must be challenged. Separate organisations have not been set up to attract business to County Derry and County Antrim just because a firm cannot locate in both areas. The thesis that separate organisations are inevitably necessary for the two jurisdictions does not stand up. As a minimum, a lot more co-operation at a very high level is needed. I wonder whether, as a small region, we can sustain the large international network that is required. In many ways, that network is out of proportion. It is a major challenge for a small region to maintain as many as 13 international offices. That provides food of thought and the potential for work to be done.

After two years, there is still no regional economic strategy, and that is not a good situation. We have three economic policy units; surely, somewhere out of that we should have produced an economic development strategy that looks to the future.

Tourism is an area that has huge growth potential. Despite the Minister's recent announcements on favouring economic development, I simply despair of the situation involving tourism and the Planning Service.

The Committee for Finance and Personnel is, necessarily, holding an inquiry on procurement, because of the opportunities it can offer to SMEs and their high level of dissatisfaction.

I detect a very variable performance by the banks. At least one bank is extremely proactive in creating schemes for companies that are experiencing difficulties. However, that is not true of all banks.

I noticed evidence in the report from the Ulster Community Investment Trust (UCIT), which provides finance to the social-economy sector. UCIT impresses me greatly as an organisation.

**Mr Deputy Speaker:** The Member must bring his remarks to a close.

**Mr O'Loan:** I would like the Assembly and the banking system do more to help UCIT.

**Mr McHugh:** As a member of the Committee for Enterprise, Trade and Investment, I also support the motion. I thank Mark Durkan for his tremendous effort as Chairperson of that Committee. He helped the Committee in many instances.

I support everything that other Members have said, particularly about our Committee and the Committee for Finance and Personnel having a scrutiny role. As was mentioned, the Committees must keep watch over the banks on behalf of the consumers. Whatever we do must centre on, and be dedicated to, scrutiny.

*2.30 pm*

We are often looked on as part of a Government or system that does not care an awful lot for the many people who are suffering. We can talk about upturns, but two years into the recession, we are being told that we are now officially out of it. However, when will people know that it is behind them enough to see jobs or something of benefit appear on the horizon? I can tell Members that nothing of that nature is in the short-term offing.

I have many things to say about the matter, but I will try to concentrate on a few issues. If any positives have emerged from the recession, one relates to jobs — the loss thereof and the need to reskill. An immense amount has been learned in the North and the South, as can be seen from the pace and speed at which building is done. We can see how quickly people are able to do things. For example, roads are now built in a matter of months instead of years. That is a tremendous advantage, despite the many negatives.

The emergence of a better society is another benefit that may come from the collapse of the fast economy. People may return to living within or near their means, rather than in a debt-driven economy such as that which was seen in the Republic — or the South, as we would call it — where the economy had a 6% year-on-year growth that was based entirely on the building industry. Banks and other businesses that followed the same flow now tell us that no one saw the recession coming. Economists who had predicted for two or three years that this was where we would finish up were ignored and talked down.

My main question concerns the ordinary people in the street. Who is working for them? Consumer prices for goods such as food are way too high. The consumer seems happy enough to pay those prices, but they are far too high. Farmers know that the price that they are paid for milk compared with what it is sold for in

shops is completely ridiculous. However, that seems to be the situation.

The consumer must also pay very high prices for utilities, for example. NIE drove forward considerable increases in its prices without returning them to any decent level. Utility prices seem to have been driven up, regardless of the fact that we are in a downturn in which people should be considering cuts. Certainly, the private sector seeks cuts all the way, yet our utility companies and Government organisations are quite happy to raise prices to whatever levels they like.

Members have heard of people walking into a dole office after 38 years of employment. Many such people went to a dole office to find out that their employers of the past two or three years had not paid their National Insurance stamps or anything else to do with their pensions or unemployment benefit. Those people now have nothing. Many of them who have accumulated a small amount of money are now told that they must spend it before they can receive any benefits. Therefore, the situation is leaving people in dire hardship and under pressure from many sources.

Perhaps those employers should be investigated. How were they able to operate for two or three years without bothering to pay the National Insurance contributions that they took from their employees while using it for their own gains?

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** I welcome the debate, which comes at a hugely important time for our economy. I commend the work of the Committee and its Chairperson, Mr Durkan. I pay tribute to the Chairperson as he steps down, and I look forward to working with his colleague Mr Alban Maginness as he takes on that role. I do not mean to embarrass Mr Durkan, but I hope that Mr Maginness and I will have as good a working relationship as the outgoing Chairperson and I had in the Department and in the Committee. Our relationship could be robust at times, but it was always taken in the spirit in which it was intended, and I believe that we had a good working relationship. I wish Mr Durkan well. If he did not get the chance to travel with the Committee, I hope that he will get that opportunity now.

As with other regions in the UK —

**Mr Wells:** The Minister might be interested to hear that there was an Assembly question about how much each Committee had spent on travel. While other Committees had gone to Colorado and Singapore, the Chairman of the Committee for Enterprise, Trade and Investment was able to reply that, in two years, the total expenditure on travel for that Committee came to the grand sum of £200, which accounts for one visit to a science park, not in Antrim but in Belfast. The Chairman must have some Scots-Presbyterian blood.

### **The Minister of Enterprise, Trade and**

**Investment:** I will let the Chairman answer for himself on that last issue.

As with other regions in the UK, local businesses in many sectors throughout Northern Ireland continue to experience the impact of the global economic downturn. In my capacity as Enterprise Minister, I continue to hear at first hand, as the Committee heard during its evidence sessions, of the pressures that many local businesses face, particularly with respect to reduced sales, output and, of necessity, employment. Mr Wells told us about a gentleman from south Down, and I thank him for bringing a human face to those unemployment statistics.

The number of redundancies continues to rise, albeit at a reduced rate, and, as Members will be acutely aware, in the past year, claimant-count unemployment has increased dramatically. Furthermore, economic forecasts indicate that the local economy will contract significantly this year, before marginal growth returns in 2010. At this stage, I congratulate Mr Shannon for finding a positive remark from Mr Ramsey. That was well done, and it obviously involved many hours of research.

I recognise that businesses are looking to the Assembly and the Executive to take the necessary steps to help with the downturn. Consequently, I and my Executive colleagues outlined the December package of measures, which was in addition to the substantial £1.2 billion of public-sector construction schemes that are currently on site. A number of Members, including Mr Wells, pointed out the importance of having public infrastructure construction schemes in place and on site. Those measures are further supplemented by other steps, and they represent a quick and, I would argue, focused response by the Executive to the downturn.

For my part, in my Department, I have been able to take some important short-term steps. Last month, in the House, I announced details of a £15 million short-term aid scheme, and Members will recall that that scheme provides eligible businesses with financial assistance to enable them to retain skilled labour, restructure where necessary, and prepare for the upturn.

That scheme comes on top of other measures. For example, quite early on, when I came into this position, I asked Invest NI to be proactive in its response to the downturn, and I must say that I have been pleased by its response, including its £5 million accelerated support fund, which has helped clients. In addition, it has run credit-crunch seminars, to which Mr O'Loan referred and which have been hugely successful and, indeed, replicated by other business bodies across Northern Ireland.

In the report, as Mr Cree pointed out, Invest NI came in for criticism from a number of people, some of it justified and some not. That was probably because



a lot of the evidence to the Committee was retrospective. I welcome Mr O'Loan's point that Invest NI is changing and becoming more proactive in dealing with clients. In that respect, I want to point out that although larger cases for assistance — for more than £100,000 — take, on average, 63 days to turn round, which is down from the previous average of 111 days, the average net processing time for casework in 2008-09 is 19 days, down from 29 days in the previous year. So, Invest Northern Ireland is quickening up. Although I appreciate that Members will wish to highlight criticisms, and obviously they are entitled to do so, it is important to acknowledge changes when they have been made, and they have been made.

**The Chairperson of the Committee for Enterprise, Trade and Investment:** Recently, the chairman and chief executive of Invest NI presented to the Committee precisely that sort of information about its performance and response, and the Committee was impressed by evidence of better working and thinking by INI than some of the standard commentators give it credit for.

**The Minister of Enterprise, Trade and Investment:** I thank the Chairperson for those comments. Indeed, the report contained comments about Invest NI being less risk averse.

Again, that poses a challenge to us as politicians. If Invest NI takes the position that it will be less risk averse, as politicians we need to continue with that because it is public money. Saying that we want Invest NI to be less risk averse has consequences for us as politicians; in particular, the scrutiny of Invest Northern Ireland when it is dealing with those firms. I hope that that issue is addressed in the Barnett review of Invest Northern Ireland's economic development policy, and I think that it will be.

Last Thursday, in my capacity as chairperson of the Economic Development Forum (EDF), I took receipt of a range of proposals to help the exporting and manufacturing sectors. I think that everyone agreed that it was a very useful meeting. The proposals represent the culmination of several weeks' work from people in the private and public sectors to assess what further actions can be taken at present. The Chairperson recognised the number of people who gave evidence to the Committee for Enterprise, Trade and Investment, and I want to put on record my thanks to those people who spent time in the subcommittees producing proposals to deal with the way forward. I am looking at those proposals and will discuss them with ministerial colleagues. I hope that I will then take back to the EDF ways in which we can move forward.

The economic subgroup reported to me in February 2009 with a list of proposals on what could be done to support the economy. Of the proposals submitted, 18

were prioritised. I am happy to report that 14 of the proposals are being or will be implemented; three cannot be implemented without additional resources; and one is being taken forward by the private sector. That is a good indication that we are listening to the business sector and trying to work with it.

From a budgetary point of view, there is no doubt that things will become more stringent. Mr Cree made the point that there will be further squeezes in the public sector. That will be the case, especially if a Conservative Government are returned to Westminster, as is predicted. We will have to deal with that when it happens. One of my colleagues often says that you have to take the bullet whatever way it is thrown at you. That is one of the issues that we will have to address in coming years.

Local banks, which have received a lot of attention, became a focus for the report. It is right that we have engaged with local banks at Committee and ministerial level. Questions have been asked about what I am doing about the enterprise finance guarantee scheme in particular. I indicated to the House recently that I wanted to speak to the local banks about the scheme. Yesterday, I met with the Ulster Bank and the Northern Bank to encourage them further in the promotion of the enterprise finance guarantee scheme and to try to understand why Northern Ireland is the region with the lowest uptake of that scheme. I have meetings scheduled with HSBC, Bank of Ireland and First Trust Bank, at which we will not only be discussing the enterprise finance guarantee scheme but the key issues of cash flow, credit and investment, and also the margin issue that Mr Wells mentioned.

Tourism is a key area for us, as acknowledged in the Committee's report. Mr McFarland said that we need to take advantage of the euro/sterling differential, not only with colleagues in the Republic of Ireland but across the euro zone on mainland Europe. I am happy to report to the House that we are doing that and are concentrating on it. To that end, Tourism Ireland launched a campaign in GB two weeks ago about the benefits of sterling for people who come to Northern Ireland on holiday.

I agree with Mr McFarland wholeheartedly that recent attacks should be condemned. A tour bus was attacked, and there were also the most dreadful attacks on immigrant communities in Dungannon and Belfast. Such attacks damage the reputation of Northern Ireland as a place to visit. Yet, a survey pointed out that Northern Ireland is one of the friendliest places in the United Kingdom to visit. It is very difficult to square that circle at present. However, we know that the people who perpetrate those crimes are a small minority, and they must be brought to justice for us to move forward on tourism.



2.45 pm

**Mr Shannon:** Will the Minister acknowledge that Esther Rantzen's comments were unhelpful and that they tarnished the reputation of Northern Ireland?

**The Minister of Enterprise, Trade and**

**Investment:** I do not know whether she made those comments from a position of ignorance, or why she made them, but they were unhelpful. She tarred the whole of Northern Ireland with the same brush. The comments were hurtful to a lot of the community here in Northern Ireland.

I recognise the significant impact that the downturn is having on many sectors, businesses and individuals throughout Northern Ireland and, as I outlined today and on previous occasions, we are taking whatever steps we can to help. However, as I said in my opening remarks — and I think that this is what Mr Cree was referring to when he spoke about my January remarks — we are in a global downturn, and action needs to be taken on a global and national scale. For that reason, some of the measures taken at national level are to be supported. National support for the banking sector is bearing some fruit. I recognise that there are continuing difficulties with the banking sector, but it seems that it is stabilising to a greater degree than it was.

Businesses welcomed a number of schemes that were put in place but, given the complexity of the times, there was a need to bring together those schemes and to give some information to the business sector. That is why we brought together MATRIX, which is now up and running. I have shared that information with the business community through the Economic Development Forum. As Mr McFarland said, CBI and IOD mentioned the difficulties that are being faced with the take-up of those schemes and, therefore, it was necessary for us to give that information back. MATRIX is updated regularly, and I informed the banks of that yesterday. I also informed them that we are happy to use any information that they have in our MATRIX.

It is important to recognise and support local businesses through the short-term pressures that they are facing as a result of the global downturn, but it is also essential that we keep focused on the upturn. I think that it was Simon Hamilton who referred to the upturn, and anticipating recovery. That is where our research and development schemes are crucial. If we are looking to the upturn, we must be ready to deal with the issues that face us when it comes.

As Members know, we have ambitious goals for the economy and, owing to the downturn, we will have to be patient and work through the difficulties that we face. I am committed to doing all that I can as Minister of Enterprise, Trade and Investment. That is one of the reasons why, last December, I announced the review of economic development policy, which the Committee

Chairperson referred to as the Barnett review. As Members will be aware, the overall aim of the review is to determine whether existing DETI and Invest Northern Ireland policies, programmes and resources contribute optimally to the delivery of productivity goal that is contained in the Programme for Government. To date, the review panel has completed its call for evidence and analysis, and it is developing its recommendations with a view to reporting to me during the summer months. I am grateful for the in-depth and wide-ranging consultation that the review panel has undertaken in recent months. I have met the panel on a number of occasions, and I am looking forward to taking receipt of its report and recommendations.

Our shared aim is to do all that we can to help the local economy to take advantage of the upturn. We have looked to the past; it is time to look to the future, and it is hoped that the review helps us to concentrate our minds in that way.

I thank the Committee for the report; it will be useful to me as we move forward. I thank the Committee members for their work, time and effort.

**The Deputy Chairperson of the Committee for Enterprise, Trade and Investment (Ms J McCann):**

Go raibh maith agat, a LeasCheann Comhairle. In my capacity of Deputy Chairperson of the Committee for Enterprise, Trade and Investment, I thank the outgoing Chairperson for the good work that he has done on behalf of the Committee and for the support that he has provided in that role to members and Committee staff.

I restate the Committee's appreciation to everyone who contributed to its scrutiny of the impact of the economic downturn on businesses. This is a difficult time for business, and when businesses go through difficult times, the negative impact on employment and prosperity affects communities and families. It also has a knock-on effect on other local businesses, especially in the retail sector. Without intervention to support businesses, that can create a downward spiral.

The Committee has welcomed the initiatives that have been announced to provide much-needed support, especially the recent announcement in relation to the short-term aid scheme that was announced by the Minister. That scheme can help businesses of all sizes to retain key staff. The Skillsafe scheme, which was announced by the Minister of Employment and Learning, can also help businesses of all sizes to retain apprenticeships and ensure that the skills are available that businesses will require when the economy recovers. Indeed, that was also discussed in the debate that was held yesterday on the way forward for apprenticeships.

Some of those who contributed to the Committee's scrutiny highlighted the difficulties faced by SMEs, and Members concentrated heavily on that sector during today's debate. Those witnesses requested support and assistance for small- and medium-sized

enterprises to help them to survive the current downturn and to prepare for the future upturn.

Some Members spoke about the Ulster Community Investment Trust (UCIT), which made constructive suggestions on how Government can assist the social economy through bank loan schemes. Similar schemes already operate in the South of Ireland, in Britain and in the United States. UCIT sees its key challenge as ensuring that sufficient capital comes into the social-economy sector to enable it to respond to the current economic climate and continue to create jobs and wealth in our most deprived communities.

The social-economy sector is vibrant and growing and any support that it receives can only help the wider economy. That sector and UCIT will welcome the £2.5 million programme announced by the Minister yesterday, and I look forward to hearing more about that programme when the Minister appears before the Committee on 25 June 2009. As I said before, the social economy creates employment, which in turn creates spending, particularly in disadvantaged areas. Therefore, it is essential that the social-economy sector be given support.

I will move on to Members' comments. First, I apologise for not being here at the beginning of the debate when Mark Durkan highlighted the problems faced by business and the many constructive suggestions that business made on how Government can help at this difficult time. One of the suggestions was the bringing forward of public-sector capital builds projects to provide employment and to maintain and upgrade the skills base of the workforce. Further suggestions included the provision of support and encouragement for innovation and research and the development and investment in energy efficiency and renewable energy. Mr Durkan also suggested that Government should intervene with the banks to ensure that the banking needs of the business sector are met.

Simon Hamilton spoke about how the economy could be helped through self-sufficiency in energy, improved telecommunications and by examining our tourism potential. Some Members referred to the recent racist attacks on the Romanian community and how they will be viewed in a negative manner by potential tourists. On behalf of Sinn Féin, I, like other Members, condemn those attacks. I also hope that ventures such as the cultural and community-based tourism projects that some local community organisations have devised will be considered by the Tourist Board when it examines the resourcing and financing of all tourism projects.

My party colleague Paul Butler referred to the impact of the downturn on SMEs. He also mentioned the good work of the Assembly and the Executive in that regard.

Leslie Cree spoke about the increase in unemployment and about the potential for public-sector job losses. He also mentioned the need to do more, especially for SMEs, and he detailed the help that that sector requires.

Sean Neeson highlighted the opportunities that exist for the Executive in investing in social housing, a point that was also made by Jim Shannon. At recent meetings with the Committee, the credit unions said that if they could they would invest up to £100 million in social housing. That must be welcomed, because we hear constantly about the need for social housing. There is a great need for such housing, and an increase in its construction would help people. I hope that we can examine the potential of such investment for people.

My colleague Mitchel McLaughlin also thought that there will be an eventual upturn in the economy, and he viewed the current downturn as an opportunity for all of us to explore some of the issues.

He spoke of the need to support the construction industry, lending, the social economy and local enterprise; he highlighted the recent work of the Committee for Finance and Personnel and its recent meeting with the banks' representatives. The Committee for Enterprise, Trade and Investment will also hold such meetings to discuss the issue.

Jim Wells mentioned the companies that are doing well in the current climate and said that there is positive news; he spoke also of the problems in the construction sector. Alan McFarland focused on Government finance schemes and the need to ensure that they are available, understood and delivered where they are needed.

A recent report by the Institute of Directors said that some businesses, particularly small and medium-sized businesses, were unaware of those schemes and what they offer. There was a view that the banks and Invest NI should, perhaps, be more proactive in informing businesses of those schemes.

Declan O'Loan said that much good business was still being done, and he mentioned the need to look for the positives; he touched upon the need for an economic development strategy and he mentioned public procurement. At the risk of repeating myself, the opportunities for public procurement, particularly for small and medium-sized local businesses and the social-economy sector, must be recognised and must be driven in the necessary ways.

The Committee for Finance and Personnel is conducting an inquiry into public procurement policy, and it is essential that public procurement policy have social clauses embedded from the start of a project to its delivery to ensure that small and medium-sized businesses and the social-economy sector can get a foot on the ladder to compete for contracts and that disadvantaged areas can benefit. That is essential.

Gerry McHugh spoke of the need to work on behalf of the consumer and the need to re-skill our workforce to provide jobs and help communities. He touched upon inflation, increases in utility prices and the rising cost of food. Only yesterday, I was with representatives of the Consumer Council who said that although some prices are coming down, food — an essential, basic commodity — does not seem to be coming down in price; rather, it is increasing. We should be concerned about that increase, particularly its effect on families, elderly people and those with disabilities on low income.

The Minister of Enterprise, Trade and Investment spoke of the pressures on business and the need to take the appropriate steps to help. She spoke about the measures being taken by the Executive in response to the downturn, including the short-term aid scheme, the work of the accelerated support fund and improvements in Invest NI's performance.

The Minister spoke about the review of economic development policy; we look forward to its outcome and hope that it will conclude quickly. She said that further pressures on public finances are inevitable and that they will have to be dealt with.

On behalf of the Committee for Enterprise, Trade and Investment, I welcome the news that, like the Committee, the Minister is encouraging the banks to help business where they can. Most people must see that the Assembly and the Executive, through their Committees and Ministers, are trying their hardest to deal with the banks to increase the much-needed cash flow to businesses.

In addition —

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

**The Deputy Chairperson of the Committee for Enterprise, Trade and Investment:** She highlighted the need to focus on the upturn and the hope for the future.

I wish to thank everybody who contributed to this important debate and thank again the outgoing Chairperson.

*Question put and agreed to.*

*Resolved:*

That this Assembly takes note of the issues raised by the Committee for Enterprise, Trade and Investment's scrutiny of the economic downturn, particularly the impact of the downturn on business and the local economy and the ideas submitted by the business sector on how Government can assist business and the economy during this time.

**Mr Deputy Speaker:** Questions to the Minister of Enterprise, Trade and Investment begin at 3.00 pm, so I ask Members to take their ease until that time.

3.00 pm

## Oral Answers to Questions

### ENTERPRISE, TRADE AND INVESTMENT

#### US/NI Investment Conference

1. **Mr Neeson** asked the Minister of Enterprise, Trade and Investment to provide details of the follow-up work carried out by her Department after last year's US investment conference. (AQO 3039/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** Since the conference, we have been engaged in a comprehensive and ongoing follow-up campaign, with Invest Northern Ireland (INI) receiving over 40 expressions of interest to date from companies interested in exploring further what Northern Ireland has to offer.

A series of follow-up meetings was held with companies in the United States, London and Dublin during the latter half of 2008. The First Minister and the deputy First Minister visited the US in December 2008 and March 2009. During those visits they met the then President Bush and took part in separate meetings with the Mayor of New York and the New York City Comptroller to discuss the potential investment of pension funds in projects in Northern Ireland.

As part of my own efforts, I travelled to both the east and west coasts of the United States in October 2008 and met potential investors and conference attendees. I will visit North America again next week, and my schedule will include meetings with a number of companies that attended the conference last year. Although we have seen initial positive investment announcements from companies that attended the conference, such as CyberSource, Bytemobile and NYSE Euronext, it should be noted that the project sales cycle for inward investment can take 18 to 24 months to complete. Invest Northern Ireland is therefore confident that we will continue to see further benefits in the medium to long term. For instance, the agency is working with several companies in the financial services sector and, despite the downturn, expects to see up to five projects emerge by 2011.

**Mr Neeson:** I thank the Minister for her reply, and I thank her Department for sending me a written reply to the same question last week. Bearing in mind the global downturn, does the Minister anticipate any investments from outside the US?



**The Minister of Enterprise, Trade and**

**Investment:** Yes; obviously, we continue to work with foreign direct investment (FDI) prospects in the United States, but I am going to Canada early next week to talk not only to potential investors but to large companies who work here in Northern Ireland, such as Nortel and Bombardier, and I know that the Member will be specifically interested in that. When I talk about foreign direct investment, I hear Members on all sides of the House tell me that they are concerned that I maintain the jobs that are in Northern Ireland at the moment. Therefore, I will speak to Bombardier and Nortel about those issues.

We will continue to push out into other sectors and markets. As the Member knows, I was in the Netherlands earlier this year at a very successful trade mission, and I will continue to push into the other areas where we have offices and where we plan trade missions for the rest of the year.

**Mr Shannon:** Obviously the United States holds opportunities for us, as does the Netherlands. How does the Minister see the future environment for FDI over the next 12 to 18 months? It is important for us to know what the future holds.

**The Minister of Enterprise, Trade and**

**Investment:** I have said on several occasions that, undoubtedly, there are difficulties with the pipeline of FDI moving forward. Invest Northern Ireland is seeing continued uncertainty and caution in the markets. Understandably, companies continue to tighten their belts. We are focusing on cost containment, and that trend is likely to continue for some time and will impact on decision-making cycles and the scale of investment. Despite that, we keep pushing ahead and selling Northern Ireland as a competitive place in which to do business. We hope to attract more research and development into Northern Ireland and, if we do, we hope to bring in longer-term investment.

## Regional Tourism Partnerships

2. **Mr Hilditch** asked the Minister of Enterprise, Trade and Investment for her assessment of how the role of regional tourism partnerships will change following the review of public administration (RPA). (AQO 3040/09)

**The Minister of Enterprise, Trade and**

**Investment:** As part of the review of public administration, the Department of Enterprise, Trade and Investment (DETI) will transfer £1.33 million to local councils to build on the tourism activities that councils undertake already.

Given the proposed enhanced role of local councils, coupled with the ongoing development of a new tourism strategy, I have asked officials to develop

proposals for regional delivery structures that will be implemented following the review of public administration. It is too early at this point to give a firm assessment of how the role of regional tourism partnerships (RTPs) will change. The new tourism strategy is due to be issued for consultation in late summer 2009.

**Mr Hilditch:** I declare an interest as a director of the Causeway Coast and Glens Regional Tourism Partnership. Will the Minister update the House on the current funding for RTPs?

**The Minister of Enterprise, Trade and**

**Investment:** At present, the RTP about which the Member is concerned takes advantage of the funding. My Department funds two RTPs: one is that of which he is a member, the Causeway Coast and Glens Regional Tourism Partnership; and the second is the Western Regional Tourism Partnership. They both receive funding of around £70,000 per annum, which is subject to delivery on an annual service level agreement.

The Department also previously funded the Armagh and Down Regional Tourism Partnership; however, following the withdrawal of funding from a number of local authorities in that area, it was felt that it was no longer sustainable. Indeed, I have been advised that it will cease operations by the end of this month.

**Mr Gallagher:** Does the Minister agree that, whatever the new structure for local tourism initiatives will be after the implementation of the RPA, there should be a clear commitment from Government to provide adequate resources to support RTPs? If that were the case, the costs would not be borne by the new councils, which, in effect, means ratepayers.

**The Minister of Enterprise, Trade and**

**Investment:** I agree with the Member. The form should follow the function, and the money should follow the function. That is why I said that £1.33 million will go to the local councils. I have asked the review group to look at the structures for local government post 2011 and to then look at tourism delivery in that context. I want the work to be carried out in the context of the RPA. Therefore, it would be foolish if the appropriate money were not given to those local councils to work in partnership with whatever delivery mechanism is put in place. I do not want to pre-empt the tourism strategy review. I am looking forward to the results of the work that is going on, and I hope that we can improve our delivery.

There are some very good RTPs that work very well. However, that work is patchy, and we need to up our tourism delivery game if we are to make the step change in tourism that we all desire.



## Local Government: Tourism

3. **Mr Savage** asked the Minister of Enterprise, Trade and Investment what plans are under way for the development of a strategic tourism project for the 11 new councils, following the review of public administration. (AQO 3041/09)

### The Minister of Enterprise, Trade and

**Investment:** The development of a new tourism strategy for Northern Ireland is under way, and it will issue for consultation in late summer 2009. It will outline future tourism development priorities for Northern Ireland. The aim of the new tourism strategy for Northern Ireland will be to provide a clear and inspiring vision and action plan for the development of Northern Ireland's tourism experience to the year 2020. It will follow on from the current 'Strategic Framework for Action for Tourism', which was published in 2004. In partnership with the Department, the Northern Ireland Tourist Board has established a steering group to lead the process and to oversee the development of the strategy. There will be wider industry and Government engagement to inform that process in the summer months.

**Mr Savage:** Does the Minister accept that the structures for managing tourism in Northern Ireland are often rigid and bland? Will she endeavour to take the necessary steps to devolve sufficient power to local government so that new enterprises can be developed locally?

### The Minister of Enterprise, Trade and

**Investment:** I could give a very short answer to that question. I very much want to see local government involved in the delivery of tourism, and the suite of activities for funding that will transfer from DETI to local government remains the same as it was when I was Minister of the Environment. Those activities are: local product development, including support for small scale tourist accommodation; visitor servicing; and business support. Those functions are being transferred to local government, but I want to see a partnership developed between local government and whatever the delivery mechanism is after the review.

It is concerned with moving forward towards joined-up delivery. I agree with the Member that we do not currently have that, and I want to see that happening.

**Mr Hamilton:** Whatever happens with tourism at a local government level, Northern Ireland will still need to be marketed at a regional level. Will the Minister concur that, in the past, Tourism Ireland has been fairly criticised over its work in marketing Northern Ireland, particularly to the GB market? What is Tourism Ireland currently doing to market Northern Ireland better to that key tourism market?

### The Minister of Enterprise, Trade and

**Investment:** Since I took up the position of Minister of Enterprise, Trade and Investment, I have been working alongside the chief executive of Tourism Ireland to give Northern Ireland the help that it so needs to bring about a step change.

I pay tribute to Paul O'Toole, who has left his position as the chief executive of Tourism Ireland, and I welcome the new chief executive, who continues the work of Tourism Ireland on those areas. It was with him that I announced a short time ago the new Tourism Ireland initiative to attract visitors to Northern Ireland. I referred to that initiative in the debate on the economic downturn, just before Question Time. It involves the distribution of over 1 million inserts in national and regional newspapers in Great Britain, including 'The Independent', 'The Daily Telegraph', 'The Sunday Telegraph' and 'The Scotsman', to highlight the very good value for money that is available for holidaymakers in Northern Ireland this summer. We must take advantage of our current competitive advantage, and if we get people to come to Northern Ireland for their holidays, they will come back.

**Mr O'Loan:** The councils have increased scope to be involved in tourism, and the new councils will have much greater planning responsibilities in the areas of development plans and development control. Can those responsibilities be put together, and will councils have sufficient freedom to develop tourist potential in their area?

### The Minister of Enterprise, Trade and

**Investment:** During the debate on the impact of the economic downturn, I listened carefully to the Member's comments on tourism and planning. I should have addressed his points during that debate, and I now have an opportunity to do so. As he has been, I have been concerned about the interface between tourism development and planning over the past while. I am pleased to say that the planning policy statement (PPS) 16 on tourism will, I hope, be sent out for consultation over the summer months. I hope that that will provide a more definitive view on the issue of need, which seems to be the problem area.

I hope that, when the power goes to the councils, they will play their role in planning tourism in their localities in a way that is sympathetic to the environment and which provides people who come to visit Northern Ireland with the product that they need. I look forward to the publication of PPS 16 by the Planning Service.

**Mr McLaughlin:** Given the focus on tourism because of its importance to the regional economy at this time, why did the Northern Ireland Tourist Board release money in the June monitoring round?

### The Minister of Enterprise, Trade and

**Investment:** The Member's supplementary question

was originally intended to be covered by question 14, but he is obviously acting pre-emptively as he thinks that he will not have the chance to ask that question.

In the June monitoring round, the Northern Ireland Tourist Board declared reduced requirements. Those were due to £1.6 million of slippage in projects, and £3 million of reduced requirements as a result of a lower contribution from Government being forecast for the Giant's Causeway visitors' centre than had been anticipated in the Budget of 2007. The Member will understand why I see that as a good news story. There is no point in the Northern Ireland Tourist Board holding on to that money if it can be brought back into the centre and used elsewhere.

**Mr Deputy Speaker:** Question 4 has been withdrawn, and Mr Ford is not in his place to ask question 5.

### Natural Gas Pipeline

6. **Mr W Clarke** asked the Minister of Enterprise, Trade and Investment for an update on the expansion of the natural gas pipeline. (AQO 3044/09)

**The Minister of Enterprise, Trade and**

**Investment:** The Department, in conjunction with the Utility Regulator, has tendered for a study to determine the feasibility of bringing natural gas to towns in the west and north-west of Northern Ireland. The plan is to appoint consultants in July and to have a report by the end of 2009. The study will also inform the Department about how natural gas may be provided to other areas of Northern Ireland such as east Down.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle.

I welcome the Minister's response. Will the study be expanded to south-east Down to include Downpatrick, Newcastle and Ballynahinch? There are large conurbations in that area.

Also, with your indulgence, a LeasCheann Comhairle, I ask whether dedicated resources for renewable energy will be directed towards areas where it is not viable to expand the gas pipeline.

3.15 pm

**The Minister of Enterprise, Trade and**

**Investment:** That decision has not been taken because I await the outcome of the gas pipeline study. When I receive that study, I will be able to make decisions on the gas pipeline. It is important that we try to roll out the gas network. I am committed to doing that; however, the economics of that must be examined, and that is being done. As a Member from the west of the Province, I very much look forward to the outcome of the study. I am sure that the Member also looks forward to it from his constituency's point of view.

**Mr I McCrea:** What steps are being taken to expand the pipeline to cover areas such as Mid-Ulster? The Minister referred to her constituency, but my constituency is another area that the pipeline does not reach.

**The Minister of Enterprise, Trade and**

**Investment:** Mid-Ulster is one area that is being considered in the study. I am acutely aware of the fact that a considerable amount of industry in Mid-Ulster could make use of the gas pipeline if it were to go to that area. Therefore, Mid-Ulster is on the map; the Member would expect me to say that in any event.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that the SDLP's proposals to establish and fund a £12 million programme to kick-start the process of facilitating maximum penetration of natural gas will allow more customers to access natural gas throughout Northern Ireland and will thereby provide major energy benefits as well as employment for a significant number of gas installers and heating technicians?

**The Minister of Enterprise, Trade and**

**Investment:** Unfortunately, I am not familiar enough with the SDLP's proposals to simply agree to them on the hoof.

**Mr D Bradley:** Go on, Minister.

**The Minister of Enterprise, Trade and**

**Investment:** Ah, go on. I can, however, agree with the Member that diversification of the energy supply would bring great benefits. Certain suppliers now offer dual supplies, which presents the opportunity for customers to move from using electricity only to using electricity and gas. Giving customers that diversity is something that the Department is very keen on.

The strategic energy framework, which relates to all of that, will, I hope, be open for consultation during the summer. In the framework, the Department will set a number of targets. I hope that all Members take the opportunity to read the framework, which is a significant piece of work. In this place, we, as politicians, tend to work from one election to the next. However, I must say that the time frames that are involved in energy are much longer. Therefore, I ask Members to take off their political hats and look to the future.

### Go for It Programme

7. **Mr McFarland** asked the Minister of Enterprise, Trade and Investment to outline the uptake of the Go for It programme. (AQO 3045/09)

**The Minister of Enterprise, Trade and**

**Investment:** The enterprise development programme, which encompasses both the new Go for It and Growth programmes, began formally operating on 1 April 2009, with various components being rolled out on a phased basis.

Although it is still early days, initial performance statistics for the new programme have been highly encouraging. During its first two months, the Go for It advertising campaign generated over 2,200 calls, which have resulted in almost 1,000 follow-up Go for It appointments. During April and May 2009, around 1,600 meetings took place with new clients. The high interest that has been engendered so far is expected to continue.

**Mr McFarland:** I thank the Minister for her answer. Given the current economic conditions, does she have any intention of reintroducing direct grants for start-up businesses? If she is so minded, should those grants be larger and the qualifying criteria more rigorous?

**The Minister of Enterprise, Trade and Investment:** I take it that the Member refers to the £400 grant that used to be available on the Go for It — Start a Business programme. Clearly, the Department looked at that closely before it embarked on the new Go for It programme. A review was carried out and a decision was taken to remove the offer of a grant to the programme's participants.

That followed an independent evaluation of the £400 grant. The results of the survey showed that 75% of those who participated in the old scheme would have completed the programme and started their businesses even if no grant had been offered. Therefore, we had to ask ourselves whether we were getting good value for the £400.

The money for those grants remains in the programme: it has not been removed but is being used for different things. The initial findings that caused us to remove the grant from the Start a Business programme were reinforced by the review that we carried out in January 2009. That review established that the impact of the removal of the grant from the programme was not sufficiently significant for us to reintroduce it. Therefore, the answer to the Member's question is that we will not be reintroducing the grant in the foreseeable future.

**Mrs M Bradley:** Will the Minister outline what actions are being taken to encourage business start-up and growth in the west and, in particular, actions in support of SMEs?

**The Minister of Enterprise, Trade and Investment:** When I became Minister of Enterprise, Trade and Investment, I was aware of the work of the regional offices, and I visited all of them because I wanted to give them their place. They do a tremendous job, sometimes in difficult circumstances. I encouraged them, and that has resulted in their being more proactive with local councils and local enterprise centres. They get out into the community and make people aware of what they have to offer.

There is still work to do in relation to that; not just with this programme but with a lot of others. However,

the regional offices have put their best foot forward. If we in the Assembly keep pushing them in relation to that through local accountability, we will see the results. I hope we do.

## Invest NI: Client Companies

8. **Mr B McCrea** asked the Minister of Enterprise, Trade and Investment how much was paid to Invest NI client companies in the financial year 2008-09 and how this compares with 2007-08. (AQO 3046/09)

**The Minister of Enterprise, Trade and Investment:** Despite the prevailing economic climate, Invest Northern Ireland's performance during 2008-09 showed that offer activity to its clients had increased. During the year, Invest Northern Ireland made 2,593 offers of assistance, amounting to £153 million of support. That compares with 2,264 offers, worth £115 million in 2007-08. Invest Northern Ireland's initial budget for 2008-09 was £161 million, and during the year that was reduced by £26 million to £135 million. Those adjustments related in the main to a reduction in the budget for selective financial assistance, as client companies began to scale back their investment plans, reducing the amount of financial assistance required in-year.

**Mr B McCrea:** I thank the Minister for her answer. I wish to pick up on the theme of scaling back. Will the Minister inform the Assembly how much money from Invest NI for capacity development has been matched by equal funding from client companies in the past year.

**The Minister of Enterprise, Trade and Investment:** I do not have the ratio to hand. However, it is a high ratio and I am happy to write to the Member about the money that companies have invested compared to that which Invest Northern Ireland has invested. I will leave a copy of the letter in the Library.

**Mr Durkan:** As well as appraising Invest Northern Ireland's support for clients further, will the Minister task the agency with providing some assessment of the performance and practice of banks in Northern Ireland as regards their support for business? That intelligence might then be used to inform the banking subgroup of the Executive, so that, in turn, information and suggestions can be made to the UK lending panel, which does not seem to take a direct or active interest in what is happening with banks here.

**The Minister of Enterprise, Trade and Investment:** As I indicated to the Member during the debate, I had a meeting with the Northern Bank and the Ulster Bank yesterday in relation, principally, to the enterprise finance guarantee scheme but to other issues as well. At that meeting there was a representative of Invest Northern Ireland, which has been engaging with the banks at client level and trying to find out where difficulties lie with lending, credit,



cash flow and all those issues we talked about during the debate. Therefore, I have no difficulty in speaking again to Invest Northern Ireland about its engagement with the local banks.

It seems to me that there is an increased level of engagement with local banks, through Invest NI, me, the Member's Committee, the Finance and Personnel Committee, and other Ministers. The Member's point is about how we collate that information.

**Mr Bresland:** Will the Minister comment on Invest Northern Ireland's performance in 2008-09?

**The Minister of Enterprise, Trade and Investment:** Surreally, some people may think that 2008-09 was a good year for Invest Northern Ireland, given that almost 2,600 offers were made to clients, which will result in a total investment of £1,178 million, the promotion of 6,500 new jobs and the safeguarding of 848 existing jobs. As I said earlier, it is important that we not only promote new jobs but safeguard existing ones.

We also saw new programmes come on line. A number of firms welcomed the fact that the new research and development programme cuts down on bureaucracy, which Members talked about earlier, thereby making it easier for them to apply. I, too welcome that fact. We also kept bureaucracy to a minimum in the new short-term aid scheme by setting a target of 20 working days from application to turnout. We are working, and will continue to work, with Invest Northern Ireland to achieve that.

**Ms Anderson:** Go raibh maith agat. There are indications that Arntz Belting is to close two factories, and we are concerned about the future of its Pennyburn plant. The company has been in receipt of sizeable funding from Invest NI; what measures are in place to claw back that funding? Can money be clawed back from companies that have been in receipt of financial assistance from Invest NI? I am aware that the Minister may not be able to answer my specific question about Arntz Belting today.

**The Minister of Enterprise, Trade and Investment:** I do not have any particular details in relation to that company. When companies default on specific projects in which Invest Northern Ireland has invested money, we follow that up and invoke the clawback section in their letters of offer. I am happy to come back to the Member in relation to the specific issue that she raised.

### Credit Unions

9. **Ms J McCann** asked the Minister of Enterprise, Trade and Investment to outline the current position on the legislative review of the credit unions.  
(AQO 3047/09)

**The Minister of Enterprise, Trade and Investment:** Members will be aware that the Committee for Enterprise, Trade and Investment recently published a report on its inquiry into the role and potential of credit unions in Northern Ireland. I acknowledge the interest that the Committee has taken in the role of credit unions in Northern Ireland and thank the Committee, the Chairman and, indeed, the Deputy Chairman for their work.

On 6 April 2009, I formally responded to the recommendations included in the report. Members will also be aware that in addition to the inquiry that the Committee instituted, Her Majesty's Treasury, in its 2008 pre-Budget report, announced its intention to review the legislative framework for credit unions and the industrial and provident societies. The review team appointed by the Treasury has consulted widely with stakeholders, and it is expected that its report will be published by the end of this month.

While the Department awaits the outcome of the Treasury review and its recommendations, and although I do not wish to pre-empt the findings, a team has been established in the Department to carry out an initial scrutiny of the current Northern Ireland legislation governing credit unions. That is aimed at identifying and separating those parts of the current legislation that need to be retained to support the registration process, which the report recommended should remain within the remit of the Department, as well as those parts that require changes to bring Northern Ireland into line with Great Britain legislation. The scrutiny, which will dictate the future work of the team, is at a very early stage and is progressing satisfactorily.

**Ms J McCann:** I thank the Minister for her answer. Given the potential for credit unions to invest in projects such as social housing, which was mentioned earlier, does the Minister agree that it is essential for the Executive and the Assembly to see that as a priority and to look at opportunities for potential investment?

**The Minister of Enterprise, Trade and Investment:** The Irish League of Credit Unions mentioned its proposal to me at a recent meeting. I indicated that it should take the matter up with the Minister responsible in order to take the issue forward. I hope that it has done so.

Money is available; the problem is how to get it into social housing. The Irish League of Credit Unions indicated to me that that is its desire, and I am happy to have a further discussion with that group, if necessary. However, if someone offers money, we should not look a gift horse in the mouth.



3.30 pm

## PRIVATE MEMBERS' BUSINESS

### PSNI Full-Time Reserve

**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 in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Paisley Jnr:** I beg to move

That this Assembly expresses concern at the impact that the loss of the full-time Reserve would have on front-line policing; and calls for no decision to be taken on the long-term future of the full-time Reserve until a new Chief Constable has the opportunity to conduct a full assessment of current and future needs.

Given the current circumstances that face the police and the necessity for an urgent decision, I welcome the fact that the Business Committee has found time for this motion. The motion has not been brought before the House as a partisan, party political measure. Everyone in the House should be concerned about the issues in the motion, namely the effectiveness and efficiency of policing on the ground. The Chief Constable is about to make an operational decision on the issue that we strongly feel is flawed.

We do not say that in a callous or casual way. We say it because we genuinely believe that, in the current climate, to rush that decision or to put a full stop at the end of the service of the full-time Reserve is, frankly, wrong. Every Member of the House, whether from the unionist or nationalist side, should recognise that we have an awesome responsibility to secure an effective and efficient police service that serves every section of the community. The motion seeks to ensure that the Police Service is practically furnished with officers, even at Reserve level, who are capable of doing the necessary job.

Police officers in the full-time Reserve currently carry out more than 200 key security jobs. I have been told that if those posts are removed, they will be replaced by regular raw-recruit officers. That is not the way for a new recruit to learn the skill and craft of a police officer. Furthermore, the removal of the full-time Reserve will automatically create 60 vacancies in security duties in custody holding centres. Those jobs will be replaced within days by a revolving-door scenario that consists of a full-time Reserve officer one day, a civilian the next, and the next day someone will return as a civilian jailer.

Most people do not see the sense in a revolving-door policy. If the full-time Reserve is fully equipped and fully trained, it should be allowed to carry on its job of securing custody holding centres in Northern Ireland. Moreover, the great expense of removing the full-time Reserve will not be felt on a security level, but on a community level. I welcome the great cry from people who want more community police officers who are accessible and acceptable in their area. Removing the element of the police that does the heavy lifting of security duty will place a burden on officers involved in community policing. Those roles will have to be filled, because the Police Service's first priority is to protect and serve. Protection comes first, and, consequently, community policing will automatically lose out. Members should bear that in mind.

I read some newspaper comments on the matter from certain commentators. We may hear a cry to the effect that — I do not know; I do not want to prejudge the debate — we should keep our noses out of the matter and, if the Chief Constable has made an operational decision, the House should not debate it at all.

I have read and listened carefully to SDLP Members' comments, but they are wrong to use that argument. If that is their marker — that if a Chief Constable makes an operational decision it can, without question, never be challenged — it means that decisions about APBs, Taser, restocking the Glock pistols that police officers carry, or calling in the military reconnaissance unit, will not be challenged in future. No Member believes that we can so tether people that they cannot challenge decisions and ask for an explanation. After all, examining such issues fairly is what an open and fair society is about.

I hope that I do not hear the cry that, because the removal of the full-time Reserve is in Patten, it has to happen. It is not in Patten. Recommendation 103 of the Patten Report called for the eventual removal of all Reserve police officers, but said that that should happen only if the security circumstances were right. That is possibly the most telling line. Looking at recent events, most of us believe that the security circumstances are not right.

Since 1972, some 7,400 men and women have served in the full-time Reserve. Terrorists murdered 49 serving full-time Reserve officers and five officers who had left the service. I salute the gallantry of those men and women who have served the entire community of Northern Ireland, whether from the Catholic tradition, the Protestant tradition or no tradition. It is important that their gallantry be saluted; it is important to ensure that their service, with 102 Reserve officers, full-time and part-time, murdered and injured, is never forgotten.

No other police organisation on these islands has to deal with such a threat from armed terrorist groups.

The Real IRA, dissident groups, the CIRA and INLA and others across all sections of the community believe that it is OK to shoot at and kill police officers.

Everyone knows that, given the increased activity of those murderous groups and their murderous threat, as emphasised by the Chief Constable himself, it would be a great folly to accept hook, line and sinker the view that the Chief Constable has made an operational decision to remove the full-time Reserve.

Dissident republican groups are capable of murder. We have already had to walk behind the coffin of one gallant officer in recent months, and soldiers have been murdered. The Chief Constable's decision to phase out the full-time Reserve in such circumstances would be wrong. Recent evidence suggests that community tensions are easily provoked into violence, as witnessed most recently in the terrible murder of Kevin McDaid in Coleraine. The tactical support group (TSG) that travelled to Coleraine that night to assist the police operation there did not come from Coleraine, nor did it come from Ballymena; it had to travel from Newry to offer assistance. Surely that tells its own story. If we are serious about protecting the community, we must ensure that the police continue to have those officers available to them.

The full-time Reserve represents approximately 9% of the operational strength at constable rank. We should take a bold decision this evening to make a strong statement to the Chief Constable that he has the permission of this community to use the full-time Reserve to provide security for all sections of this community.

All sections of this community are under threat. We witness that, and we have to ensure that the Police Service has the strength in numbers and in its rank and file to do the job. Some people have said that, at the end of the day, we are talking about only a couple of hundred officers; why do we not just get rid of them? That would be the wrong decision.

My colleagues will go on to highlight particular areas of concern. I received a letter from the Chief Constable just last week about F district, which includes the Member for Fermanagh and South Tyrone's constituency. F district relies particularly on the full-time Reserve. We know that if those numbers of additional full-time Reserves were not available, there would be even greater pressures in that area.

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

**Mr Paisley Jnr:** I commend the motion to the House. I trust that all Members can bring themselves to support it, not in the interests of party, but in the interests of this country.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I reject the motion on behalf of my party. I

say that not in the interest of party, but in the interests of good policing and in the interests of the wider community.

Some of Mr Paisley Jnr's remarks were, to some extent, bemusing. Ian Jnr talked about the operational independence argument, which he was right to raise. My party has taken exception on that matter at Policing Board meetings, as he will be aware, not least on the question of Tasers. My party and others took exception to the interpretation of the Chief Constable's independence on operational grounds, as opposed to the authority of the Board, according to section 6 of the Police Act 2000. We believe that a measure such as the deployment of Tasers was rightly a policy matter, which was more for the Policing Board than the Chief Constable to ultimately take.

We lost that argument. We were told in no uncertain terms, by people like Ian Jnr, that we had no business in trying to tell the Chief Constable how to do his job. The recent controversy over the introduction of the so-called reconnaissance unit was another case in point. We argued that such matters have a wide public importance, and should not be made simply on an operational basis. Again, we were told in no uncertain terms by certain parties to mind our own business and that it was a matter for the Chief Constable only.

There are times when my party will take issue with matters that we believe are not solely for the Chief Constable, but should be the wider responsibility of the Policing Board. I make that point to remind Ian Jnr that he and his party colleagues need to bear in mind that they cannot have their cake and eat it. They need to decide that people have the right to challenge decisions at some point in the future, or even now, as he wishes to avail of that opportunity on behalf of his own party. So be it.

We oppose the motion on very simple grounds. I take comfort from the report that the Chief Constable gave to the Policing Board. All parties were in attendance and received the same presentation. The Chief Constable told us that not only he, but his entire management team, had gone through every single post and member of the Reserve; what they were doing and whether they would be needed. We were told unreservedly by the Chief Constable and his entire team that the decision to phase out the full-time Reserve, as planned, would go ahead unhindered and did not need to be changed, and that all of that could be accommodated, notwithstanding any particular security threats that may occur. I clarified that with him on the day, and after that meeting.

We should be encouraged if we believe what the Chief Constable said when he made that presentation to the board. No one took issue with it; no one was effectively able to because we are told that many of

those officers are spending 61% of their time guarding stations, a number of which are redundant — closed — and not even in public use. It is quite ridiculous for Members to tell the general public that we need those people so much that they are “defending” closed stations.

3.45 pm

We need to concentrate the mind of the Police Service on the fact that, yes, we all want a fully effective and efficient Police Service that is available to the general community. We are constantly reminded of the need for a full-time complement of police officers to be available to the wider community, not least in recent weeks in Coleraine or south Belfast.

Therefore, our opposition to the motion is rooted simply in the fact that we do not need that complement of officers in the Reserve. The project is well advanced. The party that proposed the motion is responding more to the backlash from the Police Federation than to the reality of modern policing needs. Sinn Féin firmly believes that we should have in place the officers who can provide a full-time service. The difficulty for us and other Policing Board members is in ensuring that maximum use is made of all the personnel that we have.

We have a Police Service that has far more officers per head of population than any other police service. Therefore, we must ensure that the full-time service of well-trained and well-paid officers get on with the job better by delivering that service with more effective use of their time and resources.

**Mr Cree:** I thank the Members who secured this important debate for doing so. Throughout the Troubles, 303 members of the RUC made the ultimate sacrifice to protect the public in Northern Ireland. Many of those were members of the full-time Reserve. The Chief Constable has, rightly, recognised the important service that the Reserve has delivered and our debt of gratitude for its members' commitment.

Patten stated that for the full-time Reserve to be stood down, the security situation must not have deteriorated significantly from the situation that existed at that time. Although it is true that routine and widespread terrorist acts are no longer a daily reality for our society, the past year has seen an upsurge in dissident activity. That was seen particularly in the murders of Sapper Mark Quinsey and Sapper Patrick Azimkar and in the subsequent murder of Constable Carroll in Craigavon. The challenges of policing divided communities were also highlighted by the brutal murder of Kevin McDaid.

It is, therefore, unsurprising that the Chief Constable recently said that the dissident threat is at the highest that it has been in the past seven years. The most recent Independent Monitoring Commission report concluded that with regard to dissident republican groups:

“there has been a continuing high level of serious violent activity, often with the express intention of killing, or making possible the killing, of members of the PSNI and other security personnel, and often doing so by imperilling the lives of members of the general public”.

I accept that the disbandment of the full-time Reserve is an operational matter. However, with an imminent change at the top of the Police Service, it is the Ulster Unionist Party's view that it is imperative that a full-time Reserve is kept in place to allow the new Chief Constable to evaluate the matter for him or herself. This cannot be a matter of ideology or partisanship about policing a society threatened by terrorist organisations, and, as recent events in Belfast show, threatened by thuggery. We need police officers on the ground; we need the full-time Reserve. I support the motion.

**Mrs D Kelly:** The SDLP will be opposing the motion. I am afraid that I cannot accept Mr Paisley Jnr's argument that it is not a partisan motion. I believe that it is, because if it were not he could have asked other members of the Policing Board and Assembly Members and parties to co-sign the motion.

**Mr Weir:** Given the fact that the motion was lodged with the Business Committee as a no-day-named-motion, there was absolutely nothing to stop anyone from signing it. Therefore, I am at a slight loss to understand why the Member seems to think that people were somehow excluded from signing the motion.

**Mrs D Kelly:** I thought that a no-day-named motion is what it says on the tin. It is always nice to be asked, but we were not.

We are opposed to the motion because the Chief Constable has made it clear that he consulted widely with his senior management team. This is not just the decision of the Chief Constable — it has the full backing of all the assistant chief constables. Many police reservists also welcome the decision because they have other plans; indeed, 90 of them are undertaking a pre-retirement training programme. Some police reservists wish to leave before March 2010, and the decision facilitates their wishes.

The SDLP makes no apology for supporting the Patten recommendations. Phasing out the full-time Reserve is Patten recommendation 103, and it is somewhat dependent on the security situation. The Chief Constable is best placed to make a decision in that regard, given all the information that is available to him. As Mr Maskey indicated, Policing Board members sought the Chief Constable's assurance that the security needs resulting from security threats would be met. Another consequence of the phasing out of the full-time Reserve is more officers being moved out from behind desks. More posts will be civilianised, and more people will get to do the job that they want



to do, that they joined the service to do and that they are paid to do.

The SDLP wishes to be sensitive on this matter. We acknowledge the fact that the police Reserve has paid a greater price than other sections of the wider police family. Over the years, proportionately more police reservists than officers were murdered. We acknowledge the pain and suffering of many people who stood against terrorism over the years. However, the Chief Constable made it clear that the issue was not on the agenda of any of the meetings that he had with the Police Federation over the past year. The issue was only raised when the decision was being made, and Sir Hugh Orde is making the decision that he is paid to make.

**Mrs Foster:** Will the Member recognise that the Chief Constable has a legal obligation to consult with the Police Federation? It is not for the Police Federation to put an issue on the agenda; it is for the Chief Constable to consult with the Police Federation.

**Mrs D Kelly:** I acknowledge that the Police Federation has played a role, but it has played a role in running to the media despite the ongoing sensitive discussions that it was having with the Chief Constable. Many police officers are looking forward to retirement and are reskilling for new careers. They want some level of certainty, and it is not right for an outgoing member of staff to leave all the difficult decisions for a new entrant to the job.

There is a lot of discussion about how public money is being spent. The Chief Constable is simply doing his job and ensuring that we get best value for money. Civilianisation of posts is critical. The community demands more front line policing, and the Chief Constable has told us that he is going to move more staff out from behind desks and onto the front line. We are right to demand a greater emphasis on neighbourhood policing. Thus far, the police have not delivered the level of neighbourhood and community policing that we and many others across the community want.

Mr Paisley Jnr said that the decision on the Reserve was not an operational decision. Along with the Chief Constable and others, we will challenge differing views on whether such decisions are related to policy or are operational. The phasing out of the Reserve is not a surprise to the public, the political parties or the Police Federation. The decision has been delayed by some months due to the heightened security threat. The Chief Constable is right to make an informed decision rather than play political football with police reservists, which is what some people want to do.

We welcome the Chief Constable's decision and the moves to put more police on the front line. We will be judging and monitoring how the police perform in the coming months.

**Dr Farry:** The Alliance Party supports the motion, but we are not entirely without our reservations about the way forward. A lot has been made about the issue being an operational matter for the Chief Constable. Any decision should be governed by policing, rather than political, considerations. However, that should not mean that the police are not immune to a legitimate debate on these important issues being held here or on the Policing Board.

The essential reason for our supporting the motion is the uncertainty over the current security situation. Sadly, a police officer may lose their life in the line of duty somewhere on these islands tonight. If that were to happen, it would be likely that the officer concerned would have been caught up in circumstances where a crime was being committed. By contrast, Northern Ireland is perhaps the only place on these islands, and, indeed, in Europe, where a police officer may have been targeted and have lost their life for the sole reason that they were a police officer. That creates a particular set of circumstances that we have to address in Northern Ireland, and it is something that police officers have to face. When police officers are deployed, a proper health and safety risk assessment must be carried out. That is fundamental for those who manage the Police Service.

Without going into too much detail, it is worth bearing in mind that even when Constable Stephen Carroll's life was taken in Craigavon, that deployment had been risk assessed, with "risk" being the key word. That shows that there can never be certainty in that respect.

The murders of the soldiers and the police officer in March have changed the context in Northern Ireland significantly. Although there have been a number of terrorist incidents over the past decade, a member of the PSNI actually lost his life in very tragic and unfortunate circumstances, and we must be extremely mindful of that.

There have been other incidents in which police officers could have lost their lives in the run-up to those murders, and it was only through luck that there were not more fatalities. Therefore, there is an obligation on us all, as the leaders of this community, as well as on senior officers, to be mindful of that.

There is also a wider threat from loyalists, and we are still waiting to see exactly how many weapons have been decommissioned. There is also uncertainty about the summer's public-order situation. Ultimately, it is important that whatever happens in Northern Ireland is handled by locally recruited police. I would not want to see a situation whereby the Army was brought back on to the streets. It is important that we have a local solution to a local problem.



That said, I have some reservations about this matter, and I made those points directly to the Police Federation. The key issue to bear in mind is the overall resourcing of policing, not the precise detail of how it should be spent or deployed. Flexibility is important, particularly bearing in mind the current pressures on the policing budget. We are all conscious of the need to have more visible policing on the streets, and that is something about which we all hear regularly from our constituents. Perhaps I am being slightly counter-intuitive, but it is possible to have more visible policing with fewer human resources. If we do things properly, resources can be used more efficiently and effectively. We need to address the distortions that occur from too many redundant police stations being guarded. In some senses, police stations provide more symbolic than practical security for people. We also need to address civilianisation. Many tasks do not require highly trained, warranted police officers.

We must also address the bureaucracy in the criminal justice system. For example, numerous police officers sit around all day in court waiting to be called. That is because the courts are run on the basis of what suits the judges as opposed to what suits the many professionals who are there trying to support the system. Therefore, there must be flexibility in policing in the longer run. However, ultimately, we have to discuss getting a pattern in what is happening with the security situation. For that reason, the decision to disband the full-time Reserve is premature.

4.00 pm

**Mr Deputy Speaker:** The Member must bring his remarks to a close.

**Dr Farry:** Perhaps a better, more rounded decision could be taken in six months' time.

**Mr Spratt:** I welcome the opportunity to speak in the debate. I want to dispel some of the myths being repeated around the Chamber about the use to which the officers are being put. They have been portrayed as guarding police stations, but that is not the case. They carry out front line duties as part of tactical support groups (TSGs) similar to the one that assisted at the scene of the murder of Kevin McDaid in Coleraine and that had to come from Newry. The vast majority of officers in the full-time Reserve serve in such groups. Others are prisoner escorts or work in other areas in which fully trained police officers will have to be deployed to take up their posts.

Of the 504 officers, 100 are training for civilian careers with the Police Retraining and Rehabilitation Trust. A further 380 are providing front line policing and interfacing with the community day in, day out. They are not guarding stations, most of which are now guarded electronically or, in some case, by civilians. Let us, therefore, dispel that myth.

The Members opposite are always talking about community policing, but this decision removes officers from the front line. Ian Paisley Jnr was right. When Patten recommended the disbandment of the full-time Reserve, he included two caveats: the first was that the peace process should not have collapsed, and it clearly has not; the second was that the security situation should not have deteriorated, but it clearly has.

Discussion on the full-time Reserve has been subject to spin, even by the Chief Constable. On the one hand, he says that the threat is severe; on the other hand he says that officers can be removed from the front line. The Chief Constable went to the Policing Board saying that he had the full support of his senior team. I assume that that senior team includes his commanders who are on the ground daily providing policing in the various districts.

A letter was sent to the Chief Constable by the Superintendents' Association of Northern Ireland and was signed by its president, Chief Superintendent Michael Skuce. It said:

"If there is a decision to completely phase out the FTR, the Association does find it difficult to reconcile the 'severe' threat with a reduction in, firstly, the number of officers on the front-line and secondly, the reduction in experience that their going would create."

He goes on to say:

"As far as can be envisaged the phasing out of the FTR is likely to involve the redistribution of regular officers, to a significant degree, away from front-line policing. In particular, it may impact adversely on the delivery of neighbourhood policing at a time when it is both central to the PSNI Reassurance and public confidence strategy and to the CONTEST (Protect) strategy to prevent radicalisation and recruitment to terrorist organisations.

The Association understands that retention of the FTR gives no guarantee that there will not be further attacks. As is often said the terrorist needs only to be lucky once but we need to be lucky all the time."

He continues to say that if full retention is "not a possibility", retention of an element of the full-time Reserve should be considered.

That is a direct quotation from a police commander in F district. Therefore, the Chief Constable and others speak with forked tongues, and that is disgraceful to this community.

**Mr Deputy Speaker:** I call Ms Martina Purd — Anderson. Ms Anderson. *[Laughter.]*

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. In opposing the motion, I make it clear that as a member of the Policing Board, I see the removal of the full-time Reserve from the policing equation as another fundamental step on the path to achieving an accountable and civic policing service.

The full implementation of the Patten recommendations, including the removal of the full-time Reserve, is an essential part of the road map that is laid

down to take us from the policing failures of the past into a new policing era. That must happen, no matter who is Chief Constable; it should have happened a long time ago.

I particularly want to talk about scaremongering. The Members who tabled the motion and the Police Federation would have us believe that removing the full-time Reserve will reduce front line services. The Chief Constable has already made it abundantly clear that that is not the case and that it will not affect the PSNI's job of delivering front line services for the local community.

The problem is that the PSNI is a nine-to-five organisation; that must change, as must the fact that fewer than 25% of its officers are response officers. Sinn Féin is all for increasing front line services. Members who sit on the Policing Board with us know that that is the case, and we must know that the nine-to-five organisational framework will be tackled. There are far more effective ways of doing that than by just retaining what we regard as a discredited force.

The argument to phase out the full-time Reserve is well-founded and consistent. Like it or not, the historic connections between the Reserve and the various unionist paramilitary groups are well known. It was, and is, the nationalist/republican community that bore, and bears, the brunt of that collusion.

**Mrs Foster:** Do not let facts get in the way.

**Ms Anderson:** The Member wants facts: former RUC officer John Weir gave a sworn affidavit detailing the collusion of RUC reservists with unionist paramilitaries in the Armagh area, including in a number of sectarian murders. The Cory Report into the Robert Hamill murder accuses a full-time Reserve constable, whose name I will not mention, of indulging in the most flagrant collusion with the killers.

**Mr Paisley Jnr:** Given her comments, if she really believes them, is the Member telling us that Martin McGuinness, Michelle Gildernew and Conor Murphy were wrong to stand where she is and to take an oath in the House to support and uphold the Police Service of Northern Ireland? Is she telling us that her leader is wrong?

**Ms Anderson:** The Member knows exactly what my position is. We are dealing with a discredited force; we are dealing with a full-time Reserve that is an overwhelmingly Protestant force that should have been phased out long ago.

If Patten had been implemented as intended, we would not be having this debate today. Throughout the conflict, the full-time Reserve has been little more than a unionist militia; it has been to the forefront of attacks on the nationalist community. That is why Patten said that it should be done away with within three years.

Two years ago, Hugh Orde bowed to the kind of pressure that we are seeing now from the Members who tabled the motion, and he agreed to retain the full-time Reserve. That decision was wrong; it was in direct contravention of the Patten recommendations, and any further extension would be equally wrong now. The Patten proposals are about delivering good community policing, and any attempt to retain the Reserve directly contravenes those recommendations.

The Reserve should not still be in place 10 years after Patten, and Sinn Féin will robustly oppose any and every attempt to secure a further extension. Therefore, I say to those still opposed to the necessary implementation of the Patten recommendations and to changes in the PSNI: stop fighting lost battles and concentrate on the job of creating confidence across, throughout and within our entire community and on building the new policing structures that this society deserves. Go raibh míle maith agat.

**Mrs Foster:** I am glad to follow that Member's outrageous comments about the RUC and the Police Service of Northern Ireland. In the past number of days, I listened to comments about the Romanians who have been forced out of their homes. When I was eight years of age, I was forced out of my home by the IRA. Why? Because my father was an auxiliary constable in the Royal Ulster Constabulary; a man of whom, to this day, I am hugely proud. Therefore, I will not take any lectures from that lady about this matter.

My friend the Member for South Belfast Jimmy Spratt quoted from Chief Superintendent Skuce's letter about the difficulties that the changes will cause, particularly in my area of Fermanagh. I am not surprised that Chief Superintendent Skuce raised those concerns about the full-time Reserve, because, in Fermanagh, it provides a cadre of officers of which the House should be very proud. They undertake a range of tasks, not least of which is neighbourhood policing. Those of us in Fermanagh have some experience of being told that officers will be available and that front line services will not be affected.

Some time ago, a wide range of police stations in Fermanagh were closed — I put this point to Dolores Kelly — and we were told then that we would have a full police cadre that would provide much more policing on the ground. Did that happen? No, ladies and gentlemen, it did not happen. She said that she would monitor the situation after the full-time Reserve goes.

**Mr Deputy Speaker:** The Member should speak through the Chair.

**Mrs Foster:** The reality is that the Police Service in Fermanagh is decimated, and if the full-time Reserve is taken away, the community in Fermanagh will be decimated. Mrs Kelly should look to her party's Member for Fermanagh and South Tyrone and to the

people who vote for her party there, because people there want more policing on the ground.

If the proposals go ahead, south-east Fermanagh will become a no-go area for the police and, indeed, for most of the community in County Fermanagh, because the dissident threat there is huge. If people do not believe me, they should ask Chief Superintendent Michael Skuce where his police officers can and cannot go in County Fermanagh. It pains me that people sit in the House and say that they know better for the people of County Fermanagh, when I know that the people there will be put under severe threat and risk. If there is an injury or a death in County Fermanagh, I will come back to the House to ask the Members who vote against the motion where they stand, just as I will ask the Chief Constable where he stands on this matter —

**Mr Spratt:** And the Policing Board.

**Mrs Foster:** Indeed, and the Policing Board.

Why is the Chief Constable not leaving this decision to his successor? There must be a reason. Is it a political decision? Let him answer that question. Today, we heard that the Superintendents' Association of Northern Ireland has brought forward serious concerns, which have not been addressed. Today, we heard a lot about Patten. We all know that Patten is subject to there not being a change in the security situation, but there has been a change in the security situation. We are told that it would cost a considerable amount of money to retain the full-time Reserve, but did the Chief Constable ask for additional money? I understand that he did not ask for more money. Therefore, that excuse is a misnomer and a red herring.

On 7 May 2009, my colleague Ian Paisley Jnr received an answer to his question about the amount of resources that have been put into F district to deal with the dissident threat. The first line of that answer stated that a number of additional full-time Reserve members were allocated to F district. We are told that those reservists will be replaced by officers who come out from behind desks. How many desks does Sir Hugh Orde have, because I have heard that argument so many times in County Fermanagh that I am fed up listening to it?

**Mr Spratt:** Does the Member agree that if the Chief Constable had all those officers, he should have had them on the ground a considerable time ago? It indicates almost mismanagement by senior management in the Police Service.

4.15 pm

**Mrs Foster:** There are questions to be answered about that.

I wish the federation well in looking into its legal challenge. I will support it in any way that I can, because,

despite what Dolores Kelly said, the federation was not consulted in the proper and appropriate way. The men and women who work in the full-time Reserve have been hung out to dry by the Policing Board members: shame on them.

**Mr Kennedy:** I thank those who moved the motion. It is an important motion, and I want to indicate clearly that the Ulster Unionist Party will back it. At the outset, I pay tribute to the service and sacrifice of the members of the police Reserve, both RUC and present-day; particularly, the sacrifices made by so many as RUC full-time and part-time reservists.

I was depressed and offended by yet another contribution in the Chamber from the Member for Foyle Ms Anderson. It is deeply offensive to listen to such a tirade of abuse. It beggars belief that someone who represents her party's Front Bench can have such a jaundiced view.

It is clear that Patten recommended that there should be no change to the use of the police Reserve if there was a change in the security situation. Let me remind the House of current events, including those in my constituency of Newry and Armagh. There is a severe threat from republicans of one band or another. Orange Halls have been attacked and destroyed. Only last night, I was alerted to the fact that there is serious concern about an Orange Hall in my constituency. The police informed the trustees of that hall that they were concerned about its security. Recently, there was even an attack on the home of a Government Minister, a colleague of Ms Anderson. There have been subsequent attacks on Members of the House, principally on members of Sinn Féin. Viable devices have also been located and have had to be dealt with.

In my constituency, and in border areas generally, the police Reserve was used, and continues to be used, in large measure to provide adequate policing. Let me nail another false claim that Martina Anderson made, which was that the police Reserve was a Dolly Parton nine-to-five force: it is not and never has been. We need to clarify that misrepresentation. Reservists have been used traditionally as important backup, even to community policing, and they have played a significant role in maintaining peace and order on the streets of Northern Ireland.

I welcome the support indicated by the Alliance Party today: that is a good move, tactically, given the speculation about who may succeed on policing and justice. Nonetheless, it is welcome support, and it is recognition of the important role of the police Reserve in the ongoing security situation.

The Chief Constable is to move on to another post shortly. Obviously, we wish him well personally in that. However, we do not want him to leave a legacy that would make it difficult to provide adequate and



effective policing in Northern Ireland. It is my view and my party's view that it is essential that the police Reserve contracts be extended for a further period. We support the motion.

**Mr A Maginness:** Unfortunately, there has been a lot of political emotion and heat brought into the debate, and that is something to be deplored, because the one thing that we all want is to move the policing question on to a non-partisan, non-party-political basis. We want to respect the Police Service, which commands the full support of the House. *[Interruption.]*

DUP Members may point at Ms Anderson. She has made points with which I disagree, but some DUP Members have expressed views that, I believe, are wrong and bordering on the intemperate. It is important to approach the subject of the police as calmly as possible and to give our support to the police, who are dealing with a difficult situation.

It is wrong, particularly for a Minister, to impugn the decision of the Chief Constable and say that it was political. The Chief Constable made an operational decision in relation to the full-time Reserve. He did so in consultation with the full senior management in the PSNI. I have confidence in the ability of those people to make decisions on a non-political basis, and I believe that the decision was made in accordance with good operational criteria. Therefore, it is wrong for Members to criticise the Chief Constable on a political basis. It is evident that DUP Members disagree with the Chief Constable's decision, but to import political considerations is unfortunate.

The ending of the full-time Reserve was envisaged in the Patten Report; that is the policy context in which the matter has moved. The Chief Constable has decided that it should be completely phased out in two years' time. That is a considered position. The Chief Constable has made his decision; it should not be altered or halted now and given to the new Chief Constable for revision.

It is important that Members are supportive of the leadership of the PSNI. However, by their intemperate language and their imputing of political motives, some Members are undermining the credibility and authority of the Chief Constable.

**Mr Storey:** All of a sudden, the Member comes to the House and lectures this side of the House about using intemperate language and about the importance of supporting the police and not importing political issues. If the SDLP had not secured the removal of the name of the Royal Ulster Constabulary in the Patten Report, would it have signed up to Patten? Was that not intemperate, illogical and political? Now Alban Maginness is trying to judge the DUP against a yardstick against which he himself was not prepared to live.

**Mr A Maginness:** That is nonsense. The SDLP signed up to Patten and accepted it, unlike Sinn Féin. In fact, through our work on the Policing Board, we saw through almost 90% of the reforms, which provides us with a police service that is regarded as being impartial, professional and fit for purpose. That depoliticised the politicisation of the police, and that is important.

Finally, we on these Benches pay tribute to the 102 reservists who paid the supreme price with their lives. We all should acknowledge that. Yes, the SDLP has criticised the RUC and the RUC Reserve in the past, but, at the same time, we must acknowledge the sacrifice that those men made. It is important to respect that.

However, turning to security, only 90 of the current reservists perform front line duties, and that does not represent a very large or significant section of the Police Service.

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

**Mr A Maginness:** On that basis alone, the arguments that have been produced are flawed.

**Mr Foster:** On a point of order, Mr Deputy Speaker. I have been speaking from the Back Benches, and I would have thought that it was quite clear that I was speaking as a Member for Fermanagh and South Tyrone, not as a Minister. I ask the Member to reflect that in his remarks.

**Mr Deputy Speaker:** Indeed. The Member was called as Mrs Arlene Foster, not as the Minister of Enterprise, Trade and Investment.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I join my party colleagues in opposing the motion, so no surprises there.

The motion calls for no decision to be taken on the future of the full-time Reserve, but that in itself neglects the fact that the Patten Commission recommended the complete disbandment of the full-time Reserve, which at one time had 3,500 members. The Reserve now has fewer than 400 members, all of whose posts will be phased out by 2011. That is to be welcomed, and it is another example of progress in policing, and another necessary step on the path to an accountable and civic policing service.

The full-time Reserve is a symbol of the policing failures of the past, and I agree with Hugh Orde's comments that its abolition is non-negotiable. Indeed, at the Policing Board's meeting last week, the Chief Constable was asked whether any district commanders had any issues with the withdrawal of the full-time Reserve. In his reply, the Chief Constable assured board members that any such issues that had been raised had been addressed.



However, even if the full-time Reserve were retained, at least half of them — *[Interruption.]*

You can take that up with the Chief Constable.

**Mr Deputy Speaker:** Order. All remarks should be made through the Chair, and not directly across the Chamber.

**Mr Paisley Jnr:** At this early point in your speech, can you clarify whether you are in the Alex Maskey wing of the Policing Board team, which claims to be fully supportive of the Chief Constable —

**Mr Deputy Speaker:** Order. Mr Paisley, all remarks should be made through the Chair.

**Mr Paisley Jnr:** Forgive me. Through the Chair, will Mr McKay reflect on whether he is in the Alex Maskey wing of his party's Policing Board team, or in the dissident wing with Martina Anderson? Alex Maskey has stated that he fully supports the operational decision of the Chief Constable, whereas Martina Anderson's comments suggest that the police seem to be the biggest reprobates to ever walk the earth. Perhaps he will take the opportunity to tell the House in which wing of his party he sits, and stop teasing us.

I am sure that he will also reflect that he was very glad to see the RUC Reserve in Dunclug when he was recently, and wrongly, attacked.

**Mr Deputy Speaker:** It is usual for interventions to be short and sweet.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for his intervention. There are no wings in Sinn Féin. We all sing from one political hymn sheet. We are all united, and republicanism is — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr McKay:** Republicanism is in a very strong state at the moment; unlike unionism.

However, to continue, hopefully without interruption, even if the full-time Reserve were retained, at least half of the reservists would leave anyway, because individual officers have already made alternative plans. Therefore, the perceived benefit would be somewhat limited.

4.30 pm

The motion states that the loss of the full-time Reserve would have an impact on front line policing; but that, in my opinion, will not be the case. The Policing Board has been told that other police forces serving a similar population, as Alex Maskey outlined earlier, have fewer police officers per head of population than we have. Therefore, based on that well-known fact, the human resources needed to provide community policing here are already over quota. The police and the Policing Board now need to

ensure that the PSNI is less inflated at the higher ranks and has more officers to engage in community policing. The PSNI needs to make the best and most effective use of its resources, and it is not doing that at present. That has been recognised universally at the Policing Board.

Dolores Kelly mentioned the onus on the police to provide value for money, and Martina Anderson said that the PSNI needs to have less of a nine-to-five attitude and have more officers available at peak times, such as night-time and the weekends. It is a matter of the right resources being used in the right places at the right time. We hope that the new police top team, when it is finally appointed, will adopt that approach.

In conclusion, a LeasCheann Comhairle, the Policing Board has been assured that the withdrawal of the full-time Reserve will not have a negative effect on service delivery to the community.

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

**Mrs D Kelly:** Does the Member acknowledge that the British Treasury supplied an additional £27 million, which is being spent on overtime across the district, particularly in areas that will be most vulnerable when the full-time Reserve stands down?

**Mr McKay:** Sorry, what was that?

**Mrs D Kelly:** An additional £27 million was provided so that the police could face down the dissident threat.

**Mr McKay:** I thank the Member for her intervention.

Sinn Féin welcomes the fact that the full-time Reserve is, at last, on course to be scrapped by 2011. However, as other Members have said, that should have been done long ago. Any further postponement of the matter will be totally unacceptable. Go raibh maith agat, a LeasCheann Comhairle.

**Mr Buchanan:** I support the motion, and I remind Mr Alban Maginness, although I see that he has left the Chamber, that we on this side of the House have always fully supported the RUC, and the PSNI that came after it, and we will continue to do so. We brought the motion to the House because we believe that reducing the full-time Reserve will have a detrimental effect on front line policing in Northern Ireland.

The Chief Constable's most recent announcement that he will proceed with the abolition of the full-time Reserve, two months before he is due to leave his post, is simply ludicrous. It comes at a time when the dissident threat is greater than ever. It will do the House good today to sit back and take cognisance of what the Chief Constable has said in recent weeks and months.

**Mr Storey:** Can we add to that list, not only the dissident threat, but the pressure that republicans put on the PSNI by their activities and their continued

opposition to parades, despite McGuinness's attempt, at the weekend, to wash his hands clean? The attitude that Sinn Féin adopts to parades in my constituency costs the police budget thousands of pounds, because it does not have the decency to do what it always should have done, which is to walk away from the issue of parades.

**Mr Buchanan:** Absolutely. I thank the Member for his intervention.

What do we hear Sir Hugh Orde say about the current security situation? Quite simply, he says that the dissident republican threat is at its highest since he took up the post of Chief Constable seven years ago. Therefore, is it not premature of Mr Orde, in such a situation, to continue to weaken, rather than strengthen, the service to tackle the threat? There is no doubt in any Member's mind that Northern Ireland is facing a serious threat from dissident republican terrorists who are intent on dragging us back to the days of violence and mayhem on our streets. Therefore, an effective, experienced police service is vital in tackling that threat, just as it was when we stood against terrorism previously.

My constituency of West Tyrone and my neighbouring constituency of Fermanagh and South Tyrone are in F district. The full-time Reserve officers in those areas form the backbone of policing and make up around 50% of the constables available for deployment in an area where dissident terrorists have shown the threat that they pose to the community. At present, F district does not have sufficient personnel to adequately police those areas against the threat posed in them. If that situation continues, we will, again, be left with no-go areas in some parts of Fermanagh, as Arlene Foster said.

To build confidence and reassure the community, the public must see a visible police service that has the ability and the manpower to deliver. However, due to the lack of resources, people living in rural areas feel vulnerable and isolated, with no protection from the PSNI simply because there are not enough resources available.

The Chief Constable continually states that his overall objective is to make Northern Ireland a safer place and that he can remove 500 full-time Reserve officers and replace them with officers from behind desks without creating a negative impact on front line policing. I do not believe that we have 500 officers behind desks. Perhaps Mr Orde could explain why, throughout his seven-years as Chief Constable, he has delayed in moving those alleged 500 officers behind desks into front line policing. Why is he now saying that he has 500 officers who he can move forward? I believe that that decision is wrong and, if carried through, it would have detrimental consequences for front line policing. The decision should be delayed

until the new Chief Constable has the opportunity to reassess the security situation and make a decision on the future of the full-time Reserve.

At the last meeting of the Policing Board, members received up-to-date figures on the Police Service's tackling crime performance and discovered that the number of crimes a day in Northern Ireland has increased by 4.5, with 1.75 of those crimes classified as domestic burglaries. People living in isolated rural areas do not see any visible on-the-ground policing to act as a deterrent to the people who are carrying out those crimes and who, therefore, seem to have a free hand. People in those communities are concerned that the required level of police is not there, yet the Chief Constable is saying that he will remove 500 officers who are delivering that service in our constituencies.

Dolores Kelly welcomed that decision, and she talked about measuring the performance —

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

**Mr Buchanan:** How will she be able to measure performance when the Police Service has been diminished?

I support the motion.

**Mr Elliott:** I thank the Members who proposed the motion. It is extremely unfortunate that we have to debate the issue. I am very concerned about some of the remarks coming from the other side of the Chamber. I cannot understand why people want a reduction in police resources; they are effectively asking for a reduction in what is already an overstretched police resource in the Province.

Arlene Foster was absolutely right in her remarks about Fermanagh and South Tyrone. People say that they want to get rid of the police Reserve, but have they said why? Is it because of some type of sectarian conviction? If it is about policing resources, I cannot figure out why they are asking for it. We only have to consider the simple example of what took place in Enniskillen 10 days ago during a parade, when a skeleton staff of police officers had to carry out community policing, police reaction and traffic control.

There was an incident a couple of miles down the road at Lisnaragh, and police officers had to rush to that, leaving no one there to man the parade but the marshals. There was a huge traffic jam in the middle of Enniskillen because there were no police officers there to man the parade. Had it not been for the good sense of those on parade and the motorists, it could have been a very serious situation.

I absolutely deplore what, in my view, is a political-puppet decision by the Chief Constable before he leaves office. Let us be blunt about it; I cannot see any other reason for making such a decision just before he

leaves office, especially given the history of the police and the full-time Reserve in the Province. We have heard of the commitment and the sacrifice that was given. Member after Member has spoken of the more than 100 members who lost their lives in the conflict. I would have thought that at least the current Chief Constable would have some respect for that organisation, but no. He has driven a knife straight through it. That is a very sad situation.

We have heard some very unsatisfactory remarks, to put it mildly; remarks that, I believe, should not be made in the Chamber. Let us go back to the issue of resources. Is there anyone here who wants to stand up and say that there are too many police resources in the Province? I have heard the argument about other parts of the United Kingdom being better resourced in policing numbers than Northern Ireland. Do we want to be faced with the situation of other parts of these islands, in which, when there is a report of a burglary, the police do not react for three days? Is that the type of policing that we want in the Province? It is not the type of policing that I want. I want to see a police force that is able to react and attend those incidents without any delay.

There are crimes going unanswered in Northern Ireland. We heard some of the statistics earlier. If we get rid of the police Reserve, there will be more unanswered crimes. We have heard that, in many cases, the police Reserve may have to do the work of the community officers. However, in many incidences in Northern Ireland, the full-time reservists are the community officers. They are on the ground, they know exactly what is happening, and they are the eyes and ears of the Police Service and of us, the citizens of the Province.

To get rid of the police Reserve at this time would be a despicable act. I know that the situation in Northern Ireland has changed dramatically over the last number of years, but there is a huge threat at the moment, particularly in some areas of the Province. We do not want to escalate that threat. At times when there are incidents, senior police officers, when they are honest, will say privately that they do not have the numbers or resources to cope. That is the situation.

**Mr Attwood:** I apologise to Members for not being present during the early part of the debate because of other commitments. I will respond to what Mr Elliott said, in rather elaborate language, about the view of the SDLP on the full-time Reserve perhaps being sectarian. I remember meeting a full-time reservist at a meeting a few years ago; this story confirms what Mr Elliott said, and no one can dispute it. That full-time reservist told me that, when he was in the RUC, before it became the PSNI, he was stationed in Crossmaglen. He told me the story not because he wanted to boast about being a full-time reservist in the RUC, but

because he wanted to convey how he saw his job as a police officer.

He said that, in the early hours of the morning, there was a knock at the front gate of Crossmaglen barracks and it was a man whose wife was in the last stages of labour in the back of the car. That officer told me that he went out and delivered the child. I tell that story because we must acknowledge that, whatever our differences about the full-time Reserve *per se*, and about the Patten recommendation on the full-time Reserve, I do not deny that there were those in that organisation who suffered horribly and disproportionately compared with the full-time RUC, as some Members have mentioned.

I do not wish to say anything to take away from the good officers who were in the police and who did that sort of policing over the years of conflict. The SDLP's attitude is not sectarian; we have a difference of view based on many factors to do with the nature of the training of the full-time Reserve, its membership, its culture and so on. However, we are missing the wood for the trees.

4.45 pm

**Mr Elliott:** I am pleased to hear the Member's comments. Does he accept that the full-time Reserve is a very professional organisation that has provided a very effective service throughout the Province?

**Mr Attwood:** I refer the Member to the relevant recommendation of the Patten Report. The report outlined why the full-time Reserve, as an organisational part of the RUC, was different from the full-time membership of the RUC. That is why, in the transition from the RUC to the representative, accountable, civilianised, trained and professional policing organisation that we were trying to create with the PSNI, the full-time Reserve as an entity sat uncomfortably with that new character and new culture. I do not deny the individual contributions of members of the full-time Reserve, but there were evidence-based reasons why its character and culture was different from those of a new and professional policing service called the PSNI.

However, as I said, the debate has missed the wood for the trees. The real issue should not be the 300 or 400 members of the full-time Reserve; the real issue should be why we do not have the numbers on the ground that we should have. The reason is that the single place of greatest resistance in the PSNI to the full outworking of the Patten Report is in its human resources strategy. That is why the first Policing Board spent a disproportionate amount of time creating, despite that resistance, two human resource plans to deal with all the human resource issues, of which the full-time Reserve was one element in 10. If the other nine elements are not dealt with, the issues of police response and police numbers on the ground will not be dealt with.



That remains the single most unaddressed issue within the PSNI. The need for a human resources plan to be rolled out for all aspects, including the full-time Reserve; civilianisation; the make-up of officers and more senior staff; and the balance between officers behind desks and those out on the ground — must be addressed, but it remains unaddressed.

We also missed the wood for the trees in that the strategic threat to policing does not come from whether there are 400 or 500 Reserve officers but from the proposal that sees the potential for police numbers to reduce to 6,200 by 2011. Why have OFMDFM and the British Government yet to publish their budgetary proposals on the devolution of justice? I suspect that, buried in the debate, is the issue of whether the British Government will have their way and reduce police numbers to 6,200. Staff costs account for 85% of the policing budget. If we are not much more mindful of that issue than the understandable concerns that people have about the full-time Reserve, we will miss the wood for the trees.

I do not often quote Ian Blair, and he may be discredited to some degree. However, he told the Policing Board conference two or three years ago that the best response to the terrorist threat in London was intelligence-led policing through the community backing the police. That is the answer in County Fermanagh; the answer is for people to have the confidence to give information to the police, rather than having increased police numbers.

**Mr Weir:** I echo the remarks of Tom Elliott that although we are glad to have had the opportunity to debate the issue, it is, in many ways, extremely disappointing that the situation has arisen in which the full-time Reserve is potentially threatened, forcing us to have the debate.

Although, at times, the debate has been passionate, I disagree fundamentally with Alban Maginness, who said that it had been intemperate, that is, with the exception of one contributor, to whom I shall refer later.

**Mr Buchanan:** Name her.

**Mr Weir:** Her name will appear later.

A number of the debate's contributors, including Ian Paisley Jnr, spoke of the debt that is owed to the full-time Reserve. It has been mentioned that during the Troubles, 303 police officers were murdered by terrorists. Full-time reservists were targeted specifically, I believe, because they were, at times, vulnerable in the community. The fact that they suffered has been acknowledged throughout the Chamber, even by Dolores Kelly, among others, who mentioned that attacks on the Reserve were disproportionate. Along with other Members, I salute the Reserve's efforts, throughout the years, which enabled people such as me

to lead as normal a life as possible during the Troubles, and to protect many of us at night.

Ian Paisley Jnr and, indeed, Leslie Cree referred to the nonsense of the proposals that lay before us as, only a couple of months ago, the Chief Constable indicated that the dissident threat is the highest that it has been for seven years. To potentially cutback police numbers and to phase out the full-time Reserve in light of that high level of dissident threat strikes me as madness.

**Mr I McCrea:** Does the Member agree that the threat from dissidents is such that to get rid of full-time Reserve officers, whose experience on the ground means that they are fully aware of dissidents' identities, would be more than detrimental at this stage?

**Mr Weir:** I agree completely with the Member. The fact is, as Ian Paisley Jnr pointed out, that the matter goes beyond the sheer number of 500 officers because of the much greater operational strength and organisational knowledge that they possess, particularly in border areas. We are not simply talking about a cross-section of police officers; we are talking about people who, generally, have years of experience. Even if their numbers were made up with recruits, with the best will in the world, those recruits cannot bring the same experience and knowledge as that which exists in the full-time Reserve.

**Mr S Wilson:** Will the Member give way?

**Mr Weir:** I want to make a number of points. My time is somewhat limited.

In many ways, to take that step now is to take a gamble, particularly in border areas where it is being focused. That was mentioned by a number of Members. I agree with one point that Alex Maskey made in his contribution. He talked about the need to maximise the use of resources in the police. That point was echoed by other Members. If we want to maximise resources, why would we start to reduce the resources that are available? Again, it is madness.

Officers should be freed up. However, the idea that a vast army of new policemen and policewomen can be brought out from behind desks is mythical. It beggars belief. Jimmy Spratt made the point clearly that if that untapped potential exists, the fact that it has not been used previously indicates criminal negligence by police commanders. I suspect that the reason it has not been used previously is because, in practice, it does not exist; certainly, not in the numbers that have been suggested.

Alex Maskey also mentioned that there are more officers per head of the population in Northern Ireland than elsewhere in the United Kingdom. That is, undoubtedly, true. However, let us face it; from terrorism downwards, Northern Ireland has different



and much more severe problems than those of other parts of the UK.

I want to turn to Dolores Kelly's remarks. In many ways, it seems as though her nose has been put out of joint because she had not been asked to sign the motion. She went from that silly, preposterous position to highlight that many police reservists have made other plans. The fact is that those officers face redundancy because the idea has been trailed around for some time. It would be foolhardy of those men and women not to make other plans. It is a position into which many of them have been forced.

A slavish devotion to the holy writ of the Patten Report seems to emerge from the SDLP and, indeed, those Sinn Féin Members who have all the zeal of the convert in their commitment to it. However, even in the Patten Report, the position of reservists was predicated upon the existence of a stable security situation. The dissident threats mean that the loss of the full-time Reserve leaves certain areas vulnerable to attack.

As Arlene Foster, Tom Buchanan, Danny Kennedy and Tom Elliott pointed out, the impact of that loss will be particularly severe on border communities. The removal of the full-time Reserve will have an impact throughout Northern Ireland. If gaps appear in border communities, there will clearly be a reallocation of police resources across Northern Ireland.

I welcome the Alliance Party's support for the motion. As happens on many occasions, that support comes not without reservation. However, they fell on the right side of the fence on this occasion.

Ms Anderson gave her usual temperate analysis of the situation, and it beggars belief that she was considered as outreach officer to the unionist community. I will perhaps correct my colleague Ian Paisley Jnr, who talked about the two separate wings of Sinn Féin. He talked about the complete belief in the Chief Constable's statement that there would be no reduction in front line services. I must say that I find the 100% acceptance of anything that the Chief Constable says very touching. However, someone having such complete faith in the words of the Chief Constable, even if that person is Ms Anderson, shows that this country has moved on.

Arlene Foster mentioned the current security situation and highlighted the fact that, with regard to providing greater resources, the Chief Constable did not even ask for more money.

Alban Maginness mentioned the support of the senior police management for the matter. However, Jimmy Spratt and others highlighted the reality of the situation. Mr Kennedy compared the policing to Dolly Patten — *[Laughter.]*

I am sorry; I meant to say Dolly Parton. The one analogy that can be drawn is that the police command structure is somewhat top-heavy.

Mr Spratt pointed out clearly that whatever is said at the top of the organisation, from the Police Superintendents' Association down to the Police Federation for Northern Ireland, the key message that comes from the coalface, as it were, and from those who police day in, day out, is that this is at best premature and utterly ill-judged in current circumstances.

Mr McKay steered a neat path between the positions of Mr Alex Maskey and Ms Anderson. He was very much the Boyzone tribute act of Sinn Féin, because he was somewhat 'Flying without Wings' in that regard. *[Laughter.]*

**Mr Ian Paisley Jnr:** That was a Westlife song.

**Mr Weir:** Was it Westlife who sang that song? I stand corrected in my knowledge of pop culture. That is the last time that I will listen to my colleagues about such matters.

Again, resources were referred to, and they must be borne in mind. Tom Buchanan highlighted the threat that exists to both border communities and the rural community. As Tom Elliott indicated, those who oppose the motion say that, in effect, we need fewer policemen and policewomen on the ground. That is madness. Leaving aside the politics, the community is clearly crying out for more police personnel, not fewer. As Tom Elliott, Jimmy Spratt and others pointed out, the duties that the full-time police Reserve carry out by are a vital cog in the wheel of policing. The reality is that this is ill-judged and ill-timed.

I leave Members with a final question to consider. Members on the opposite Benches tell us that this is purely an operational decision and something on which the entire police leadership will agree. If that is the case, what have they to fear by waiting a few months and letting a new Chief Constable make that decision? As it is, the present Chief Constable will make the decision, exit stage left, and leave the rest of us to pick up the pieces.

I support the motion.

5.00 pm

*Question put.*

*The Assembly divided: Ayes 42; Noes 37.*

**AYES**

*Mr Beggs, Mr Bresland, Mr Buchanan, Mr T Clarke, Mr Cree, Mr Donaldson, Mr Elliott, Sir Reg Empey, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kenahan, Mr Kinahan, Mr McCallister,*

*Mr McCausland, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McQuillan, Mr Moutray, Mr Newton, Mr Paisley Jnr, Mr Poots, 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, Mr B Wilson, Mr S Wilson.*

*Tellers for the Ayes: Mr Kennedy and Mr Spratt.*

#### NOES

*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 Dallat, Mr Doherty, Mr Durkan, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr G Kelly, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.*

*Tellers for the Noes: Ms Anderson and Mrs D Kelly.*

*Question accordingly agreed to.*

*Resolved:*

That this Assembly expresses concern at the impact that the loss of the full-time Reserve would have on front-line policing; and calls for no decision to be taken on the long-term future of the full-time Reserve until a new Chief Constable has the opportunity to conduct a full assessment of current and future needs.

*Motion made:*

That the Assembly do now adjourn. — [*Mr Deputy Speaker.*]

## ADJOURNMENT

### Special Education in Foyle

**Mr Deputy Speaker:** I remind Members that the proposer of the topic for the Adjournment debate will have 15 minutes in which to speak. All other Members who wish to speak will have approximately 10 minutes.

**Mr P Ramsey:** I apologise for Mark Durkan's absence, Mr Deputy Speaker. He had intended to speak in the debate, but has been called to an urgent meeting.

I want to draw attention to the provision of special needs education in the Foyle constituency and to outline the rationale for this Adjournment debate. Recently, constituents of mine who are the parents of a child with a moderate learning disability told me that the child's eligibility for reading centre support had been withdrawn. My constituents were given various conflicting explanations for that and, in January 2009, they wrote to the Western Education and Library Board to ask for an explanation and for a reconsideration of the case. Some weeks later, when no reply had been forthcoming after a number of letters had been written, I wrote to the board on their behalf. I wrote again in March, and again two weeks ago.

That family has still received no answer to their questions from the board. I understand that their experience is far from unique. In the end, the family removed their child from the Northern education system and she is now in school in Letterkenny, County Donegal, where she is getting the help that she needs. However, her parents now have to make a twice-daily 40-mile round trip. Parents who show that kind of commitment to their child should have received an answer to straightforward questions.

As a result of their experience, I have looked more closely at how special education needs are being delivered by the Western Education and Library Board. I am concerned that there are serious gaps in provision and, as I mentioned, in the way in which the board communicates with parents. I do not expect the Minister to respond on individual cases, but I will make a number of points to which I will expect her to respond.

The Comptroller and Auditor General's 2006 report, 'Improving Literacy and Numeracy in Schools' stated:

"in 2004-05 nearly a quarter (23 per cent) of children — around 2,000 girls and 3,500 boys — still leave the primary sector with literacy skills below the standard Level 4 and are, therefore, likely to struggle with the literacy demands of the post-primary curriculum."

In 2007 the Audit Office reported that almost 50% of year 12 pupils do not achieve GCSEs at grades A\* to C in English and Mathematics.

How can children who cannot read progress through second-level education, where they need to be able to read in order to learn? For those children, even at primary level, education becomes a totally demoralising and alienating process. It should not be that; it should be joyful, enriching and inclusive. There is no doubt that the majority of the children that I referred to are well within the normal IQ range, but if we are serious about having a positive effect on their lives, we must change what we are doing.

There is a serious deficit in educational psychology services. The Minister knows that one third of educational psychology positions in the Western Board area are vacant and have not been filled. I am aware that educational psychologists are currently being trained, but it will take many years to complete that training. Therefore, we need interim measures and solutions.

5.15 pm

It is difficult to measure the number of children who are missing out. Due to the lack of educational psychology resources, school principals are prioritising children who are most in need of educational psychology assessment. Other children who need that assessment are not being put on the waiting list.

I spoke to a post-primary school principal recently who told me that the percentage of statemented children in her school has been reduced by 50% in recent years; not because of any change in the ability of the children in her school, but because of the shortage of educational psychologists. Therefore, those children are not getting the intervention that they need because additional resources are dependent on the educational psychology assessment.

In the absence of an adequate number of educational psychologists, children are being referred to psychology assistants. The only remedy open to the psychology assistants is to refer those children to the reading centre. The reading centre does superb work — excellent work — with children, but its waiting list is too long and it is unlikely that many of the children on that list will be seen. Delay at that age is detrimental to children's long-term education prospects.

I recently asked the Minister about the reading centre waiting list. The Minister's response was:

"The chief executive of the Western Education and Library Board has informed me that 156 children in the Derry city area are currently awaiting support from the Reading Centre, with an additional 107 in the wider Co Derry area. However, these children should be taught in their own school in a way that addresses their literacy difficulties."

I was appalled at the Minister's answer. It was a cop-out. If schools were able to deal with the specific

reading difficulties of those children, they would not need support from the reading centre. However, schools do not have the resources in terms either of expertise or time, and those children need intensive and specialist one-to-one and small-group support that is not available in schools.

While there is a deficit of educational psychology services, schools need to be given adequate resources so that they can carry out their own assessments and provide children with the help they need in-house. Each school should be resourced to employ at least one full-time special needs co-ordinator, and additional teachers and classroom assistants to provide children with mild and moderate learning difficulties with the help they need. Most schools currently have a special needs co-ordinator working part time. Part time is not enough in the present circumstances to do the job properly and effectively, and to give the early intervention that is so important.

Speech, language and communication therapies are managed by the Department of Health, but are integral to the education system. A few years ago, there was an unacceptable waiting list for speech and language assessment in the west. That problem was solved by employing more speech and language therapists and technical assistants, some on temporary contracts, to carry out assessments. There is a growing list of people who have been assessed and need therapy, but who are waiting too long for their therapy blocks, as they call them, to take place. The Minister of Education needs to review speech, language and communication provision with her counterparts in the Health Service to improve access to speech and language therapy in Foyle and the Western Education and Library Board Area, because it is affecting educational outcomes.

Special schools need to be better funded, and special-school principals need to have more control over the use of resources, similar to the control enjoyed by mainstream school principals. Special schools in some areas received notice of their budget allocations only last week. Can the Minister explain the delay in informing special-school principals of their budget allocations?

Special schools have a great depth of expertise that can be shared with mainstream schools on an outreach basis. However, to get the full benefit to the children who need it, special schools need to be better funded.

On leaving special schools, young adults in the west, who do not have access to the opportunities enjoyed by other school-leavers, are being denied access to training centres for people with any disability because the centres are full, thereby denying them the right to education. Although that is the responsibility of the Department for Employment and Learning, there

is not joined-up thinking when it comes to adulthood for those who have special needs.

The Minister and her departmental officials will, of course, argue that the resources are not available to tackle the problems. Resources are an issue, but how efficiently and effectively are they used? I understand that in Northern Ireland 58% of education funding goes to schools, with the rest spent on administration. In England and Wales, 88% to 92% goes directly to schools. That efficiency level should be our target.

There are major opportunities to change the system. At the same time, we have hundreds of teachers unemployed and primary schoolchildren in classes of 30. The Executive should set a target of achieving primary-school classes of 15 children within 10 years. That would have a massive impact on the children, produce widespread educational excellence and transform society in the space of one generation.

We look forward to the setting up of the education and skills authority, which has the potential to reduce bureaucracy and get resources to schools. I understand, however, that there are no teaching practitioners or parent representatives on the transitional board. Will the Minister confirm whether that is the case, and, if so, whether she is minded to explain and change that?

The Minister must find solutions to the education psychology service's funding deficit, and to provide schools with additional resources so that they can provide the additional support that would otherwise follow education psychology service reports. The Minister should insist as a standard that an average-size primary school should have at least one full-time special needs co-ordinator, and schools should be funded to provide that.

The Minister and the Executive should commit to a radical reduction in class sizes. The Minister needs to work more closely with principals, particularly the principals of special schools, to give them more authority to make the best and right decisions for their pupils. The Minister needs to ensure that speech and language therapy is provided in a timely and adequate fashion, and not, as we know all too well in Derry, by postcode lottery.

To achieve those things as a first step in improving resources, the Minister needs to ensure that much more of the money that is invested in education ends up in the schools and is not tied up in bureaucracy. The Minister can be assured of the support of the SDLP in her work if she achieves those goals.

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. I appreciate the opportunity to speak in the debate, and I commend my fellow Foyle MLA Pat Ramsey for securing the Adjournment topic.

I begin by paying tribute to the teachers and staff who are doing such a marvellous job in providing special needs education in Derry, often in difficult and challenging circumstances. I have visited schools such as Belmont House and Foyle View on a number of occasions. The first thing that strikes one is the sheer dedication of those who work there. For people such as Mickey Dobbins, it is not a job; it is a vocation, and the people of Derry owe them a debt of gratitude.

However, as well as all the other challenges that staff, families and teachers are facing, other significant problems are affecting the delivery of special needs education in Derry. The lack of speech and language therapists, for instance, to which Pat Ramsey referred, is a huge and well-documented problem in Derry, and is having a serious detrimental impact on the ability to provide the sort of services that special needs children require and to which they are entitled.

The ability to recruit additional speech and language services is also hampered by the fact that lower rates of pay are often offered in the Western Health and Social Care Trust area than in other parts of the North. The Stand Up for Derry campaign finds that unacceptable. I am conscious that the Health Minister is not in the Chamber for the debate, but he needs to address that issue.

The lack of speech and language therapists also demonstrates that special needs education, like many other issues, is a cross-departmental matter. If there is to be real delivery for those who need it, a holistic approach must be taken by all Departments and all parties. Almost everyone accepts that much more needs to be done to ensure that the 60,000 children with special educational needs, 18.6% of all our children, are given the opportunity to achieve at school. Unfortunately, one party in the Assembly does not seem to share that belief: that party is the DUP.

For reasons known only to itself, the DUP has continually opposed the Education Minister's proposals that emerged from the review of special educational needs and inclusion. Those proposals, which would be accommodated by £25 million of ring-fenced funding, would add significantly to the £188 million that the Minister already spends on children with special needs. However, the DUP has routinely blocked the Executive's proposals. Last month, when Sinn Féin tabled a motion that called for the proposals to be issued for consultation, the DUP opposed it. Shame on the DUP; that is an incredible and unforgivable position. The DUP must explain to the parents of children with special needs why it chooses to rob them of their rights and entitlements.

The review of special educational needs and inclusion was carried out by some of the most eminent experts in the field. It is eagerly anticipated across the



education sector and will inject funding that is desperately needed to modernise the way that children with special education needs are dealt with. Publication of that important review has already been delayed for several months but the DUP continues to block its going out for consultation. The DUP is effectively preventing the families and teachers of children with special educational needs and others from having their say on the report. The DUP is blatantly censoring public opinion on a very important document.

What does the DUP fear? Why was the DUP the only party to vote against the motion and delay the money going into the system? That money was referred to during the debate on that motion and Mr Ramsey mentioned it again today. What makes the DUP think that it knows more about special educational needs than the experts who wrote the report? Only the DUP can answer those questions, and it is up to that party to explain to parents, teachers and, indeed, all of us with an interest in education why it is delaying progress on a vital issue. I thank Mr Ramsey for securing this adjournment debate and I appreciate the opportunity to have contributed to it. Go raibh míle maith agat.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom cúpla focal a rá ar an ábhar seo. I commend Pat Ramsey for bringing the issue to the Floor of the Assembly. It goes without saying that the subject has been well-aired and well-articulated in the local media. I join Pat Ramsey and Martina Anderson in complimenting the people who work in the field of special needs education. Michael Dobbins was mentioned, and all the Foyle MLAs know him well. Recently, he received a prestigious award both for himself and for Foyle View School. He talked about the school's team approach when accepting that award. I am fortunate that a family member of mine works in that school and I appreciate the work that its staff put in; they see themselves as working as a team rather than as individuals.

As Pat Ramsey and Martina Anderson have also said, special needs education poses particular challenges. The people who work in special needs education see those challenges on a daily basis and regard them as part of what they do. Those people should be reassured that they have a Minister who continues to show her commitment to the sector

Whatever we do, we should ensure that staff have the support, the expertise and the resources to make that possible.

5.30 pm

Pat Ramsey and Martina Anderson spoke about the lack of speech therapists, and that issue has been widely discussed in the Foyle constituency. It is not a matter for one Department; it is a cross-departmental

issue. The wage structure for speech therapists in the trust in which Derry is situated is lower than in other parts of the North; therefore, it is not just a regional issue, but an equality one. Not being able to attract speech therapists to Derry has a wider impact that needs to be addressed immediately.

I attended the debate on the special educational needs review and the definition of special needs. The most important factor in that issue is that £25 million is being blocked from going into the sector. I listened to the arguments why the issue should not be progressed and found them very weak, because, rather than narrowing the definition of special needs or accepting the status quo, the Minister seeks to widen it, not just for the sake of changing the definition but to bring in extra resources.

It is a pity that other Members are not present for the debate. I accept that it is a constituency matter, but there should be no blockages to this important sector for whatever reason. Getting that money into the system would have an effect across the whole sector, not just in Foyle.

I agree with Pat Ramsey that there is a need to raise standards generally and not just in special educational needs. The statistics are often trotted out, but it is a scandal for all public representatives that too many of our children leave school without proper qualifications because of the way that the system is designed. The Minister has shown leadership in that respect, and we will see the benefit of that in the years ahead. We must ensure that in three or five years' time, we will not repeat those statistics. We must improve not just special needs education but all types of education. We should support the Minister in all that she does to achieve that.

Pat Ramsey said that all special needs education provision should be housed in a school with the aid of a co-ordinator. I do not think that anyone disagrees with that in principle, but people whom I represent have told me that even a specialist unit outside a school can have an effect. A specialist unit takes the child outside the school environment away from the scrutiny of other children who know that those children are going into a special room or class. There could be a combination of provision. However, I agree with the principle that the Minister, the Departments and the boards should have more resources to ensure that special needs education flourishes in that sector and across other education sectors.

I commend Pat Ramsey for securing the Adjournment debate. I also commend the Minister and will ensure that she has continued support in all that she does. Go raibh maith agat.

**Mrs M Bradley:** I commend and thank my colleague Pat Ramsey for bringing the topic to the Floor of the House. I declare an interest as a governor of a school.

There are constant complaints pertaining to the difficulties in securing an appropriate assessment and, more important, a timely one. Before the Minister tells us that she has ploughed additional funds into reducing the backlog of assessments pending, I want to make it clear to the House that the process has by no means improved the situation. If anything, it is now even more frustrating for parents, as their children are kept on lengthy waiting lists for reading centres and equally long lists for appropriate classroom intervention.

Interventions are not made early enough and, in some cases, not at all. A situation seems to be developing whereby those who are being assessed for additional funding are not receiving sufficiently high assessments to warrant an intervention. As a result, teachers are being left in untenable and, in some instances, downright unsafe situations. At present, children who are put forward for assessment must wait for a few academic years. They must wait for a further two or more academic years after that before receiving a paltry few hours of help.

Although the Special Educational Needs and Disability (Order) 2005 (SENDO) is liberating and highly commendable, it has opened up huge holes in the system. The contents of the Order are equality driven and were born out of anti-discriminatory laws. Sadly, that equality seems to have disappeared in a huge cloud. A child may have to move from the environment of a special school, in which there may be a ratio of three pupils to one teacher, to the classroom of a mainstream school, in which there may be as many as 26 or 28 pupils to one teacher. At that stage, the situation hits home. There is little or no intervention, or even suitable assistance, in that new environment. Where is the equality for that pupil with special needs? Where is the anti-discrimination ethos when education boards are exonerated from their duty to supply all that is required to adhere to SENDO?

The Minister constantly asks the Assembly to work with her. Today, I ask her to work with us by insisting that her Department works with, and not against, the schools. For the benefit of everyone, she must ensure that her Department complies with SENDO. A complete overhaul of special educational needs is needed, and that must focus on classroom-based requirements.

Some parents are lucky to be in a strong financial position to pay for private interventions. However, given the current economic climate, that number is dwindling fast. The one person in Foyle who had helped children out of hours has now retired. Now, therefore, parents in that area cannot even pay for that bit of help for their children.

I never fail to be appalled at, and amazed by, the stories that people relay to me in schools and in their homes. The Assembly faces huge pressures to implement action on the basis that it represents a better option than direct rule and can deliver what was promised by the First Minister and deputy First Minister: a better future for all. Unfortunately, they forgot to tell Members that the provision of special needs education was an omitted addendum to their statement.

The situation needs to change so that children can avail themselves of early and effective intervention, rather than being expected to wait until they arrive on the doorstep of their post-primary school. By that stage, they lack confidence, and life is simply becoming more and more difficult for them: shame on us, for allowing that to happen to those children. I support Pat in today's Adjournment debate and I am delighted that he chose that subject.

**The Minister of Education (Ms Ruane):** I, too, thank Pat Ramsey for today's topic for debate. It provides me with an opportunity to highlight how the special education framework provides for the assessment and identification of special educational needs that enable the education and library boards to make special education provision.

I also want to highlight the work of the Western Education and Library Board (WELB) on the provision of special education in the Foyle constituency, and my plans for the arrangements for the provision of special education.

Before doing so, however, I will respond to a couple of points made in the debate. The education and skills authority (ESA) is coming into being. At present, one of the issues facing the Department is the unequal provision for children with special educational needs across the five board areas. I share the concern expressed about funding that is being invested in the administration of education. That is why the RPA exists and why ESA is being created. I look forward to the SDLP's support on the collapsing of the administrative arrangements.

The task force on literacy and numeracy is also doing some extremely good work. Its report is, as I understand it, almost complete and will soon be on its way to me.

My Department is carrying out one of the most radical overhauls of the education system ever to take place. Transfer 2010 will probably make one of the single biggest differences to children with special needs. At present, many children are disadvantaged, and Members spoke about the number who are struggling with literacy and numeracy, and that is unacceptable. However, children with special educational needs have been particularly affected by the previous selection arrangements, the distortion of

the primary curriculum and the admissions arrangements that applied to them.

Fortunately, those arrangements no longer operate and those grammar schools cannot discriminate against or deny entry to special needs children as in the past.

Ón tús, ba mhaith liom a rá gur caitheadh timpeall ar £185 milliún ar riachtanais speisialta oideachais sa bhliain acadúil 2007-08. Tá sé tábhachtach go mbaintear an úsáid is éifeachtaí as an gcaiteachas suntasach seo le freastal ar riachtanais na bpáistí seo.

At the outset, I emphasise that some £185 million was spent on special education needs in 2007-08. It is important that such significant expenditure is used as effectively as possible to meet the needs of our special needs children.

At present, 60,529, that is 18.67% of our children and young people, have a special educational need; 13,271 of them, that is 4.1%, have such significant needs that a statement is required to ensure that those needs are addressed. I am keenly focused on special education provision.

Special education provision is matched to the individual needs of the child. Provision may be made in special schools; special units attached to mainstream schools; in mainstream classes; through home or hospital tuition; preschool support; or placements outside the North of Ireland.

Like Pat Ramsey, I believe that it is very important that parents can access education on either side of the border. We must work at a North/South level, and I am seeking to ensure that there is much more co-operation across Donegal and Derry and along the entire border area, and my Department will work with its counterpart in the South of Ireland to make sure of that. Now that we are in the EU, we cannot allow our children to be denied education on either side of the border because of archaic laws in the North of Ireland. European law takes precedence.

Under special education legislation, statutory responsibility for securing special education provision for pupils with special educational needs rests with the education and library boards and schools. The chief executive of the Western Education and Library Board has advised me that the board provides a comprehensive range of services, support and provision to meet the needs of children and young people with special educational needs in the Foyle constituency. That includes preschool support through the board's early-years support service, which can be accessed in the family home for children too young to access preschool placements.

Access to the service is based on multidisciplinary assessments by child development clinics. Those arrangements, which have operated since September

2008, have diminished the waiting times between early identification of need and access to early-years special needs support. Specialist preschool provision can also be accessed through the nursery class that is attached to Belmont House special school, and through the class at Foyle View school that meets the needs of children with more complex difficulties. Pupils who are enrolled in primary schools access support for board services through the board's education psychology services.

In the Western Education and Library Board, the assessment model used by the education psychology service, which applies to children at stage 3 of the code of practice, is managed through a time-allocation framework. It is based on consultation with schools and advice on key issues as well as the assessment of children on the basis of a school's priorities.

The education psychology service provides professional advice as part of the statutory assessment process to facilitate the identification of need and the specificity of the recommendations that are required to meet the needs of children with special educational needs. Due to the statutory requirement of that work, it has taken precedence so that the board can comply with its statutory duty to meet the needs of children and young people in its area. Despite difficulties in recruiting staff, the chief executive assures me that that aspect of the education psychology service's work has continued to be delivered within the agreed time frames.

Tá £500,000 sa bhreis curtha ar fáil agam don bhliain 2009-2010 le gur féidir leis na boird aghaidh a thabhairt ar liostaí feithimh do shíceolaíocht oideachais agus do thacaíocht disléisce.

5.45 pm

Indeed, for 2009-2010, I have made available an additional £500,000 in earmarked funding to enable the boards to address waiting lists for educational psychology and dyslexia support. The Western Education and Library Board hopes to address its waiting times for dyslexia provision through the use of that additional funding. I understand that a comprehensive range of services is provided to primary schools in the Foyle area, including services such as specific literacy difficulties advice: support, training and teaching from a centrally based specific literacy difficulty service; language outreach; moderate learning difficulties outreach; direct advice, support and training from the centrally based autism advisory, training and intervention service; and sensory support for children with visual or hearing impairments.

I recognise that, historically, the Foyle area has had high numbers of children with dyslexia. In addition to the comprehensive ranges of services that I have outlined already, I can advise that the WELB has proactively addressed the matter of dyslexia support by employing three psychology assistants to introduce a

literacy-screening service in order to refer children directly to literacy services. That has successfully reduced the number of children who are unnecessarily waiting for a detailed education psychologist's assessment, and it ensures that children are referred much more quickly to support services.

The vast majority of schools have had staff awareness training to develop a dyslexia-friendly learning environment. In addition, seven schools in the WELB area have obtained, or are working towards, the Dyslexia Association's Kitemark for dyslexia-friendly status. Members will also know that autism-specific classes have been attached to St Brigid's Primary School in Carnhill, Model Primary School, Belmont House Special School, Foyle View Special School, St Anne's Primary School and Lisnagelvin Primary School.

Nevertheless, I acknowledge that there are difficulties with the current framework, including inconsistencies and delays in identification, assessment and provision; growing numbers of statemented children; and the bureaucracy that is attached to the present arrangements.

Is é sin an fáth ar chuir an tAire Oideachais a bhí ann romham tús leis an athbhreithniú ar riachtanais speisialta oideachais agus chuimsiú in Aibreán 2006. Tá an t-athbhreithniú seo iontach tábhachtach agus muid ag iarraidh feabhas a chur ar an gcreatlach reatha riachtanas speisialta oideachais.

For that reason, in April 2006, the review of special education needs and inclusion was initiated, and, as we strive to make improvements to the present SEN framework, the review is of great importance. The review of special education needs and inclusion aims to both strengthen the current provision for children with SEN and to address growing diversity in schools.

I want to ensure that every child and young person who faces a barrier to learning is given a fair and equal chance. Therefore, I plan to establish a robust and accountable support framework that identifies and supports the needs of all children whenever they occur and as early as possible. I want that to happen through capacity building and upskilling for teachers and the wider workforce and through collaborative working across the education sector and between education and health professionals.

The proposals that emerged from the review of SEN and inclusion were first referred to my Executive colleagues in July 2008, in order to seek agreement to issue them for consultation. In November 2008 and again on 8 May 2009, I resubmitted the policy proposals to the Executive Committee, and I recommended that the Executive agree to the proposals being issued for public consultation as soon as possible. I regret to report that, unbelievably, almost one year on from the original referral and despite the Assembly's support last month for a motion to issue the document, the

document has still not made it on to the Executive's agenda. The ongoing delay to the commencement of the consultation process means that the difficulties in the present system remain unresolved.

The public consultation on those policy proposals is much anticipated by all those who have been involved in the extensive pre-consultation stage. Parents who have experienced difficulties with the existing framework remain frustrated that they are being prevented from giving their opinions on the policy proposals. I share their frustration. Every day that passes means that some children continue to fall through the identification net and do not get the help that they need when they need it. More importantly, every day that passes means that the Assembly continues to fail children with special education needs.

It is my firm hope that my Executive colleagues will agree, at the earliest opportunity, to the policy proposals being issued for consultation.

Go raibh maith agat, a LeasCheann Comhairle.

*Adjourned at 5.50 pm.*



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# NORTHERN IRELAND ASSEMBLY

Monday 29 June 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

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

**Mr O'Loan:** On a point of order, Mr Speaker.

**Mr Speaker:** I will take a point of order from Mr McNarry, and, following that, I will take a point of order from Mr O'Loan.

**Mr McNarry:** On a point of order, Mr Speaker. When can the House expect the Minister of Finance and Personnel to make a statement on the June monitoring round?

**Mr Speaker:** I thank the Member for his point of order. I have received no notification on the issue, but I spoke to the Minister this morning. As Members know, statements from the Finance Minister have to be agreed by the Executive, because they are made on behalf of the Executive. I understand that such a statement has not yet been agreed. The Executive will meet on Thursday, and it is possible that agreement will be reached on the statement at that meeting.

Having met the Minister this morning, I understand that he has no intention of not giving the Assembly its place on such an important issue. I have no doubt that after Thursday's Executive meeting, we will hear a statement on the June monitoring round from the Minister.

**Mr McNarry:** Further to that point of order, I am grateful to you for your explanation and for what the Finance Minister has relayed to you. Should the Assembly, therefore, expect to be called for a plenary session to hear the Minister's statement before recess or to be recalled during recess?

**Mr Speaker:** It will be for the Finance Minister and the Executive to work out the procedures after the Executive make their decision, but that issue has not been contemplated.

**Mr McNarry:** Further to that point of order, do you agree, if it is your place to do so, that it would be

inappropriate for such a statement not to be made to the House before the summer recess or even at a recall of the Assembly during recess and that Members should not have to wait until September for the statement?

**Mr Speaker:** It is the intention of the appropriate Minister, if there is agreement at the Executive meeting on Thursday, to furnish Members with a written statement and to return to the House in September with an oral statement. That means that Members will have two opportunities to examine the issue. Perhaps that is the best way forward. However, let me make it absolutely clear that the Minister has no intention of bypassing the Assembly on this very important issue. I have no doubt that when the Executive make their decision on Thursday, proper procedures will be followed by the Minister, and by the Executive.

**Mr O'Loan:** Further to that point of order, Mr Speaker. Before I make my own point of order, I want to express my own strong support for what Mr McNarry has said. It would be outrageous if no statement was made to the Assembly on the June monitoring round before the summer recess. It would also be outrageous if such a statement was postponed until September.

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

Let us be absolutely clear: the Minister cannot make a statement until the June monitoring round has been agreed by the Executive, and there was no agreement at the most recent Executive meeting. That is why there is no statement from the Minister to the House this morning or tomorrow. The statement must first be agreed by the Executive, so that the Minister can deliver the statement on behalf of the Executive. Such a statement is not delivered on behalf of the Finance Minister, but on behalf of the Executive. Let us have clarity on that issue and stop playing politics with it.

**Mr O'Loan:** On a point of order, Mr Speaker. I want to make two points of order in relation to the debate in the House on 23 June on the report of the Committee on Standards and Privileges on the Northern Ireland Assembly code of conduct. The first relates to the accuracy of comments, and the second relates to the use of unparliamentary language.

In relation to the point of accuracy, page 31 of the 'Northern Ireland Assembly Companion' states:

"A good precedent has been established by other Members that, when a Member discovers that something that was said was incorrect, it was withdrawn on the Floor of the House. That is a good and proper way to behave."

It is clear that the issue of accuracy is pertinent to the order of the House

In that debate, Mr Ian Paisley Jnr made certain comments. He referred to complaints that had been made in relation to him and said:

“Most of those complaints were repetitive and they all collapsed”. — *[Official Report, Bound Volume 42, p191, col 1]*.

However, in relation to complaints that were made by me against Mr Paisley Jnr, two were upheld by the interim Commissioner for Complaints, and one was substantiated by the Committee. A further complaint led to the Committee on Standards and Privileges reporting that it was:

“essential for the integrity of the Assembly that the rules governing the use of Office Cost Allowance are reviewed urgently”.

The Committee wrote in those terms to the Assembly Commission. Therefore, to say that the complaints had “collapsed” was both inaccurate and seriously misleading to the Assembly. That is an important matter that requires the attention of the Speaker.

With respect to the use of unparliamentary language, in the same debate, Mr Paisley Jnr, clearly referring to me, as he had named me earlier in the debate, said:

“We have had people’s reputations dragged through the mud for one reason only: to make the cheapest, lowest, dirtiest, meanest, nastiest complaints possible against Members and their character”. — *[Official Report, Bound Volume 42, p191, col 1]*.

Furthermore, he later used the words:

“the lowest, nastiest, cheapest activity”. — *[Official Report, Bound Volume 42, p191, col 1]*.

I made complaints that I believed to be entirely in the public interest, and that is what motivated me. I do not think that my motives should be impugned, and certainly not in language that I believe is unparliamentary. I ask you to rule on both of those matters.

**Mr Speaker:** I thank the Member for his point of order. The Member visited me this morning to discuss a number of issues, and that was one of the issues raised. I ask him to allow me to examine the Hansard report of that debate, and I will return either to him directly or to the entire House.

**Dr Farry:** On a point of order, Mr Speaker. Returning to the issue of the June monitoring round, can you rule whether, in the letter and spirit of Standing Order 18(2), it is in order for the outcome of that monitoring round to be released through a written statement? It is quite evident that the June monitoring round is a “matter of public importance,” and the Minister is required to be mindful of that when taking any decision to release information through a written statement.

Further to that, is it technically possible for a written statement to be issued during the summer recess, given that no Official Report will be published to which the written statement can be annexed?

**Mr Speaker:** The Member has raised a number of issues. I have spoken to the Minister this morning, and I think that his intention is to issue a written statement

in advance of an oral statement being made in the House in September. We are all up against the fact that summer recess is soon to begin. However, I should have thought that that is the best way to handle the matter. The written statement will clearly indicate that an oral statement will be made in the House in September.

I will keep repeating what I said earlier. I know from speaking to the Finance Minister this morning that he is quite anxious to make a statement to the House on the June monitoring round on behalf of the Executive. However, because we are up against the summer recess and because the Executive did not agree the matter last Thursday, the best procedure is to issue a written statement that clearly indicates that an oral statement will be made in September.

**Dr Farry:** Further to that point of order, Mr Speaker. I certainly appreciate the Speaker’s guidance and recognise the practicalities of the situation that we are in. However, I would like clarification that any written statement that is issued will not be a written statement as per Standing Order 18; it will be a written statement from a Minister, not a written statement to the House.

**Mr Speaker:** That is correct. It will be advance notice to the House of an oral statement in September. It is for the Executive to decide what else that written statement might say, but that is what I would expect from it. *[Interruption.]*

Order. Members should not shout from a sedentary position. I am absolutely clear on the issue and on the conventions and procedures.

**The Minister of Finance and Personnel (Mr Dodds):** Further to that point of order, Mr Speaker. Let me say, for the sake of clarification, that I would have been absolutely delighted to make a statement on the June monitoring round in the Chamber this morning. It was not that the matter was not agreed; rather, it was deferred at the request of two Executive Ministers who wanted more time. Let us be in no doubt as to why no statement has been made in the Chamber today. It was not members of my party who made that request. Can I also say — *[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Finance and Personnel:** I am making a point of order.

I am sure that other Executive Ministers and I will be happy to make a statement to the House whenever the House wishes one to be made. It is for the House to decide when it wishes to meet and in what form it wishes the statement to be made. I, and any successor of mine — indeed, any Minister — will comply with whatever the House wishes. At the end of the day, it is not for us to dictate to the House; we must work with

the House. I can certainly undertake that, if the House makes a determination on how it wishes to proceed on the matter, it will be followed through on.

**Mr Speaker:** OK, Members, let us move on, please.

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

**Mr Speaker:** Order. Is it the same point of order on which I have already deliberated for quite a while, or is it a totally different point of order?

**Mr McNarry:** It is a further point of order —

**Mr Speaker:** No. Order —

**Mr McNarry:** Excuse me; it is a further point of order that is different to the issue.

**Mr Speaker:** Well, let us hear it.

**Mr McNarry:** Thank you. Is it the case that the Minister can be permitted by you, Mr Speaker, to —

**Mr Speaker:** Order. I ask the Member to take his seat. He is coming very close to making the same point of order.

**Mr McNarry:** But if —

**Mr Speaker:** Order. I ask the Member to take his seat. I have spent quite some time trying to explain the position and how the Assembly might agree on this. Both the Finance Minister and I have spoken in an attempt to resolve the issue, and the convention for resolving the issue for the benefit of the entire House is absolutely clear.

**Sir Reg Empey:** Can I make a point of order?

**Mr Speaker:** Yes, certainly.

12.15 pm

**Sir Reg Empey:** When I was sitting upstairs a few moments ago, I heard the Minister of Finance and Personnel refer to the absence of a statement today. I ask the Minister to reconsider what he said. I did not ask for the matter to be deferred. The papers were late and were delivered only an hour or so before the meeting. I said that I was not taking any view on them: I did not ask for them to be deferred. However, why should they be served up to me and the rest of the Executive at such stupid notice?

**Mr Speaker:** I want to make it clear that the House should not get involved in how the Executive do their business. Let us move on.

## ASSEMBLY BUSINESS

### Committee Chair Changes: SDLP

**Mr Speaker:** I wish to advise Members that I have received notification of the resignation of Mr Mark Durkan as Chairperson of the Committee for Enterprise, Trade and Investment with effect from Tuesday 30 June 2009. I have also received notification of the resignations of Mr Patsy McGlone as Chairperson of the Committee for the Environment and Mrs Carmel Hanna as Chairperson of the Committee on Standards and Privileges with effect from Friday 3 July 2009.

The nominating officer of the SDLP, Mr Mark Durkan, has nominated Mr Alban Maginness as Chairperson of the Committee for Enterprise, Trade and Investment with effect from Tuesday 30 June 2009, and Mrs Dolores Kelly as Chairperson of the Committee for the Environment and Mr Declan O'Loan as Chairperson of the Committee on Standards and Privileges with effect from Friday 3 July 2009. Mr Maginness, Mrs Kelly and Mr O'Loan have accepted the appointments.

I am satisfied that the correspondence meets the requirements of Standing Orders, and, therefore, confirm that Mr Alban Maginness will be Chairperson of the Committee for Enterprise, Trade and Investment with effect from Tuesday 30 June 2009; Mrs Dolores Kelly will be Chairperson of the Committee for the Environment with effect from Friday 3 July 2009; and Mr Declan O'Loan will be Chairperson of the Committee on Standards and Privileges with effect from Friday 3 July 2009.

### Suspension of Standing Orders

**Lord Morrow:** I beg to move

That Standing Orders 10(2) to 10(4) be suspended for 29 June 2009.

**Mr Speaker:** Before I put the Question, I remind Members that this motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That Standing Orders 10(2) to 10(4) be suspended for 29 June 2009.

**Mr Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

## **Appointment to the Assembly Commission**

**Mr Speaker:** I would like to inform Members that I have been notified that Mr Alban Maginness has resigned as a member of the Assembly Commission with effect from Friday 26 June 2009. In accordance with Standing Order 79(4), the vacancy must be filled within 28 days.

As with other similar motions, this will be treated as a business motion. There will, therefore, be no debate.

*Resolved:*

That, in accordance with Standing Order 79(4), Mrs Carmel Hanna be appointed to fill a vacancy on the Assembly Commission.  
— [Mr P Ramsey.]

## **EXECUTIVE COMMITTEE BUSINESS**

### **Forestry Bill**

#### **First Stage**

**Mr Elliott:** On a point of order, Mr Speaker. Is it reasonable that Members should have only a couple of hours' notice of such an important Bill, even though it is only at First Stage? The relevant Committee did not have prior notice of the matter.

**Mr Speaker:** It often happens in this House and elsewhere that the First Stage of a Bill appears neither on the Order Paper nor elsewhere.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** I beg to introduce the Forestry Bill [NIA 11/08], which is a Bill to make provision in relation to forestry and connected matters.

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

**Mr Speaker:** The Bill will be put on the list of future business until a date for its Second Stage is determined.

### **Budget (No. 2) Bill**

#### **Further Consideration Stage**

**Mr Speaker:** I remind Members that, under Standing Order 37(2), the Further Consideration Stage of a Bill is restricted to debating any further amendments that have been tabled to the Bill. As no amendments have been tabled, there is no opportunity to discuss the Budget (No. 2) Bill today. Members will, of course, be able to have a full debate during the Bill's Final Stage. The Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.



## COMMITTEE BUSINESS

### Statutory Committee Membership

**Mr Speaker:** As is the case with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

That Mr Alex Attwood replace Mrs Dolores Kelly as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mrs Mary Bradley replace Mr Alban Maginness as a member of the Committee for Social Development; that Mr P J Bradley replace Mr Pat Ramsey as a member of the Committee for Culture, Arts and Leisure; that Mr John Dallat replace Mr Tommy Gallagher as a member of the Committee for the Environment; that Mr Tommy Gallagher replace Mr John Dallat as a member of the Committee for Regional Development; that Mrs Dolores Kelly replace Mr Tommy Gallagher as a member of the Committee for Health, Social Services and Public Safety; that Mr Patsy McGlone replace Mr P J Bradley as a member of the Committee for Agriculture and Rural Development; and that Mr Pat Ramsey replace Mr Alex Attwood as a member of the Committee for Employment and Learning.

### Standing Committee Membership

**Mr Speaker:** As with similar motions, this will be treated as a business motion. There will, therefore, be no debate.

*Resolved:*

That Mr Tommy Gallagher replace Mr Pat Ramsey as a member of the Audit Committee; and that Mr Patsy McGlone replace Mr Thomas Burns as a member of the Public Accounts Committee.

### Motions to Amend Standing Orders

**Mr Speaker:** As the next 27 motions relate to amendments to Standing Orders, I propose to conduct the debate as follows: I propose to group the motions as shown on the separate sheet that has been provided for Members and to conduct three debates. I shall ask the Chairperson of the Committee on Procedures to move the first motion in each group. Debate will then take place on all motions in the relevant group. When all Members who wish to speak have done so, I will put the Question on the first motion. I shall then ask the Chairperson to move formally each of the remaining motions in the group in turn, and I will then put the Question on each motion without further debate. If that is clear, we shall proceed.

The first group consists only of motion (a), as indicated on the Order Paper.

**The Chairperson of the Committee on Procedures (Lord Morrow):** I beg to move

(a) In Standing Order 10 leave out paragraph (7) and insert —

“(7) Where an oral Ministerial statement made under Standing Order 18A impinges upon the time bands specified in this order, the Speaker shall act in accordance with Standing Order 18A(6).”

This is simply a tidying-up amendment arising from the amendments to Standing Order 18 on ministerial statements, and it brings the paragraph into line with the amendments that have been made previously. As it stands, Standing Order 10(7) refers to Standing Order 18 in line 2 and Standing Order 18(5) in line 4. Those should read “Standing Order 18A” and “Standing Order 18A(6)” respectively. It makes no substantial changes and is simply a consequential amendment, bringing Standing Order 10(7) into line with amendments that the Assembly made previously. I commend the motion to the Assembly.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. As Lord Morrow said, this is a tidying-up amendment that does not make any substantial changes.

**Mr O’Loan:** I support the motion.

**Mr Neeson:** I also support this and all the motions.

**Lord Browne:** I reserve my right to speak in the debate on the third group of amendments.

**The Chairperson of the Committee on**

**Procedures:** This is a pleasant and easy task, as no one seems to be contrary this afternoon. I do not wish to add anything to what I have said already.

**Mr Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

(a) In Standing Order 10 leave out paragraph (7) and insert —

“(7) Where an oral Ministerial statement made under Standing Order 18A impinges upon the time bands specified in this order, the Speaker shall act in accordance with Standing Order 18A(6).”

**Mr Speaker:** We move on to debate the second group, which consists of motions (b) through to (t), as indicated in the Order Paper.

**The Chairperson of the Committee on**

**Procedures:** I beg to move

(b) Leave out Standing Order 81 and insert —

“**81. INTERPRETATION**

In these Standing Orders —

‘day’ means calendar day;

‘nominating officer’, in relation to a party, means —

(a) the person registered under Part 2 of the Political Parties, Elections and Referendums Act 2002 as the party’s nominating officer; or

(b) a member of the Assembly nominated by him;

‘public holiday’ includes Christmas Day, Good Friday, any bank holiday and any other day appointed as such;

‘**sitting day**’ means a day on which the Assembly sits in plenary;

‘**working day**’ means any day which is neither a Saturday, Sunday, public holiday nor day when the Assembly is in Recess.”

*The following motions stood in the Order Paper:*

(c) In Standing Order 3(10) line 3 leave out “seven calendar days” and insert —

“seven days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(d) In Standing Order 15(1) line 4 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(e) In Standing Order 15(2) line 7 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(f) In Standing Order 15(3) line 7 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(g) In Standing Order 20(2) line 5 leave out “day when the Assembly does sit” and

insert —

“sitting day”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(h) In Standing Order 20A(1) at end insert —

“The question may only be asked on a sitting day.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(i) In Standing Order 20A(2) line 1 leave out “on the day it is submitted”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(j) In Standing Order 20B(4)(a) leave out “clear working days” and insert —

“working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(k) In Standing Order 20B(4)(b) line 3 leave out “clear working days” and insert —

“working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(l) In Standing Order 33(2) line 4 leave out “(excluding any periods when the Assembly is adjourned for more than three working days)”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(m) In Standing Order 35(5) line 10 leave out “thirty working days” and insert —

“30 working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(n) In Standing Order 35(7) line 8 leave out “thirty working days” and insert —

“30 working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(o) In Standing Order 46 leave out paragraph (3) and insert —

“(3) Committees may sit on any day.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(p) In Standing Order 61 line 1 leave out “one week” and insert — “seven days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(q) In Standing Order 65(2) line 13 leave out “five sitting days” and insert —

“five working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(r) In Standing Order 65(3) line 10 leave out “five sitting days” and insert —

“five working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(s) In Standing Order 70(3) line 14 leave out “next day on which the Assembly shall meet” and insert —

“next sitting day”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(t) In Standing Order 79(4) line 5 leave out “sitting”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

On behalf of the Committee on Procedures, I propose that the Assembly approve the amendments to Standing Order 81 and the substantial number of consequential amendments.

At its meeting on 13 June 2007, the Committee on Procedures identified a list of key Standing Orders that needed to be reviewed during the current mandate. After a considerable and sustained effort, I am pleased to say that the Committee has now addressed the majority of the Standing Orders on that list. Today’s amendments to Standing Order 81 bring us closer to completion.

Standing Order 81 makes a key contribution to the interpretation and application of Standing Orders. That is borne out by the fact that if the Assembly were to approve the amendments to Standing Order 81, 18 consequential amendments would need to be considered. Consequently, it is of the utmost importance that Standing Order 81 is clear, easily understood and straightforward in its application. The Committee on Procedures has tabled a number of recommendations that it believes will achieve that.

For the benefit of all Members, I shall now highlight the principal changes to the Standing Order. The amendment makes no change to the definition of the word “day” and no change to the definition of the term “nominating officer”. The focus of the amendment is on making it very clear that there is now a difference between “working day” and “sitting day”. The current definition does not make that clear. The lack of clarity between “working day” and “sitting day” is the principal reason why the Committee tabled the amendment.

The amendment changes the definition of the term “working day”. It is hoped that the new definition is clearer, as it now simply means any day that is not a Saturday, Sunday, public holiday or a day when the

Assembly is in recess. To assist the interpretation, the Committee considered that it would be helpful to include a definition for the term “public holiday”. The definition of public holiday will be:

“Christmas Day, Good Friday, any bank holiday and any other day appointed as such”.

That is based on the definition of public holidays in the Interpretation Act (Northern Ireland) 1954. The Assembly takes extra days, such as Easter Tuesday, that are not officially designated as public holidays. Those days, however, fall in recess periods and are covered by the definitions already.

“Sitting day” will now have a simple definition, which is:

“a day on which the Assembly sits in plenary”.

That aligns closely with the Interpretation Act (Northern Ireland) 1954 and with common everyday usage.

As I said, subject to the acceptance of those definitions, the Committee has tabled 18 consequential amendments, and Members will be pleased to learn that I do not intend to address each one. However, Members should note that the terms “working day” and “sitting day” are used in Standing Orders to count specified periods; for example, the period in which amendments may be tabled.

It is sufficient to say that the Committee decided that the changes to the definitions will not result in changes to any counting period, except in Standing Order 33, which deals with the Committee Stage of public Bills. Paragraph 2 of that Standing Order specifies the period in which a Committee may consider, take evidence and report on a Bill that is referred to it. Currently, that period is 30 working days from the date of referral, excluding any periods when the Assembly is adjourned for more than three working days. That makes it difficult for Committee members and staff to work out when the 30-day period finishes. Any day on which the Assembly does not sit, for example, a bank holiday that falls on a Monday, has the effect of extending the period for considering a Bill from the previous Wednesday to the next Tuesday.

Having heard that description, Members will understand the difficulties in getting that right. In order to simplify the process, the Committee on Procedures has recommended that the period in which a Committee may consider, take evidence and report on a Bill be a straightforward 30 working days. That amendment, when considered with the proposed changes to Standing Order 81, should make the process much more consistent and fair.

12.30 pm

I will demonstrate the type of change that those amendments will mean through another example. Standing Order 46(3) states:

“All committees of the Assembly shall have leave to sit during a sitting of the Assembly and notwithstanding any adjournment of the Assembly.”

At present, Members must read that carefully, several times, in conjunction with Standing Order 81, and may still not be certain about when a Committee may sit. If the Assembly accepts the proposed consequential amendment, Standing Order 46(3) will become:

“Committees may sit on any day.”

In the Committee’s opinion, that is much clearer.

I recommend the motions to the Assembly.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. Lord Morrow has explained succinctly the reasons for the amendments to Standing Orders. I certainly do not want to go into as much detail. The amendments to Standing Order 81, and the consequential changes, clarify definitions and, therefore, make procedures much easier to understand.

**Mr O’Loan:** I also support the motions. As the Committee Chairman has explained, they relate to technical matters, such as definitions of public holidays, sitting days and working days, and where those are used in various Standing Orders. Although the Assembly does not usually have to look at such matters, it is important that they are attended to correctly. If not, there could be major difficulties on certain occasions. The amendments should have the Assembly’s full support.

**Mr Neeson:** I support the motions.

**Lord Morrow:** I thank Members for their comments. I need not say much except to point out the fact that Members are agreed. The Committee has been diligent on this matter, and its work will help the Assembly to conduct its future business.

**Mr Speaker:** Before we proceed to the Question, I remind Members that all the motions require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

(b) Leave out Standing Order 81 and insert —

#### “81. INTERPRETATION

In these Standing Orders —

‘day’ means calendar day;

‘nominating officer’, in relation to a party, means —

(a) the person registered under Part 2 of the Political Parties, Elections and Referendums Act 2002 as the party’s nominating officer; or

(b) a member of the Assembly nominated by him;

‘public holiday’ includes Christmas Day, Good Friday, any bank holiday and any other day appointed as such;

‘sitting day’ means a day on which the Assembly sits in plenary;

‘**working day**’ means any day which is neither a Saturday, Sunday, public holiday nor day when the Assembly is in Recess.”

*Resolved (with cross-community support):*

(c) In Standing Order 3(10) line 3 leave out “seven calendar days” and insert —

“seven days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(d) In Standing Order 15(1) line 4 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(e) In Standing Order 15(2) line 7 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(f) In Standing Order 15(3) line 7 leave out “two clear Working Days” and insert —

“two working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(g) In Standing Order 20(2) line 5 leave out “day when the Assembly does sit” and

insert —

“sitting day”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(h) In Standing Order 20A(1) at end insert —

“The question may only be asked on a sitting day.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(i) In Standing Order 20A(2) line 1 leave out “on the day it is submitted”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(j) In Standing Order 20B(4)(a) leave out “clear working days” and insert —

“working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(k) In Standing Order 20B(4)(b) line 3 leave out “clear working days” and insert —

“working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(l) In Standing Order 33(2) line 4 leave out “(excluding any periods when the Assembly is adjourned for more than three working days)”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(m) In Standing Order 35(5) line 10 leave out “thirty working days” and insert —

“30 working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(n) In Standing Order 35(7) line 8 leave out “thirty working days” and insert —

“30 working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(o) In Standing Order 46 leave out paragraph (3) and insert —

“(3) Committees may sit on any day.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(p) In Standing Order 61 line 1 leave out “one week” and insert —

“seven days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(q) In Standing Order 65(2) line 13 leave out “five sitting days” and insert —

“five working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(r) In Standing Order 65(3) line 10 leave out “five sitting days” and insert —

“five working days”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(s) In Standing Order 70(3) line 14 leave out “next day on which the Assembly shall meet” and insert —

“next sitting day”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(t) In Standing Order 79(4) line 5 leave out “sitting”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

**Mr Speaker:** We now come to the debate on the third group, which consists of motions (u) to (aa), as indicated on the Order Paper.

**The Chairperson of the Committee on Procedures:** I beg to move

(u) After Standing Order 81 insert —

**“82. PRELIMINARY MATTERS AND INTERPRETATION**

(1) The provisions of these Standing Orders apply to Private Bills.

(2) In these Standing Orders —

‘**explanatory and financial memorandum**’, in relation to a Private Bill, means a memorandum detailing —

(a) the issue the Bill is intended to address;

(b) the consultative process undertaken;

(c) the main options considered;



- (d) the option selected and why; and
- (e) the cost implications of the proposal;

**‘Objector’** means a person objecting to a Private Bill;

**‘Private Bill’** means a Bill introduced for the purpose of obtaining for the Promoter particular powers or benefits in excess of or in conflict with the general law, and includes a Bill relating to the estate, property, status or style, or otherwise relating to the personal affairs, of the Promoter; and

**‘Promoter’** means the individual, body corporate or unincorporated association of persons promoting a Private Bill.

### 83. STAGES IN CONSIDERATION OF PRIVATE BILLS

- (1) The stages in the consideration of a Private Bill are —
  - (a) Preliminary Scrutiny Stage: consideration as to whether the Bill satisfies the pre-requisites;
  - (b) Introduction and First Stage: introduction of the Bill to the Assembly;
  - (c) Investigation Stage: initial investigation by a Private Bill committee into the principles of the Bill and report to the Assembly;
  - (d) Second Stage: general debate on the Bill with an opportunity for members to vote on its general principles;
  - (e) Committee Stage: detailed investigation and opportunity to amend by the committee followed by report to the Assembly;
  - (f) Consideration Stage: consideration of and an opportunity for the Assembly to vote on the details of the Bill, including amendments proposed to the Bill;
  - (g) Further Consideration Stage: opportunity for members to consider and vote on amendments proposed to the Bill;
  - (h) Final Stage: passing or rejection of the Bill without further amendment.
- (2) In the circumstances set out in Standing Order 90, Committee Stage may be re-opened.

### 84. PRELIMINARY SCRUTINY STAGE

- (1) A Private Bill shall not be introduced in the Assembly unless the Promoter has satisfied the Speaker that —
  - (a) there is proof of need for the Bill;
  - (b) there is no suitable alternative other than the matter proceeding by way of a Private Bill;
  - (c) there has been sufficient consultation with those who may be affected by the Bill;
  - (d) the Bill would be within the legislative competence of the Assembly;
  - (e) the Promoter has been authorised to promote the Bill in accordance with its constitution or such higher standard as the Speaker may require; and
  - (f) the Bill would not have the effect of authorising any sum to be paid out of the Consolidated Fund.
- (2) In addition to the requirements of paragraph (1) the Bill must be —
  - (a) signed by the Promoter;
  - (b) in such form as the Speaker may require; and
  - (c) accompanied by —
    - (i) an explanatory and financial memorandum;
    - (ii) a statement in writing signed by the Promoter, to the effect that, in the Promoter’s view, the Bill would be within the legislative competence of the Assembly;

- (iii) such other documents as the Speaker may require; and
- (iv) such fee as the Assembly Commission may determine.
- (3) The fee referred to in paragraph (2)(c)(iv) shall be reduced by 75% where the Promoter —

- (a) is a charity; or
- (b) is a body —
  - (i) which is not established or conducted for profit; and
  - (ii) whose main objects are charitable or are concerned with science, literature or the fine arts.
- (4) The Speaker may reduce the fee referred to in paragraph (2)(c)(iv) to nil if satisfied that the Bill —
  - (a) is largely the same as a Bill recently withdrawn; and
  - (b) has the same Promoter as the withdrawn Bill.

### 85. INTRODUCTION AND FIRST STAGE

- (1) A Private Bill shall be introduced in the Assembly by the Speaker. The Speaker shall announce that the Bill has been received, has passed Preliminary Scrutiny Stage and will now be published. This shall constitute the Bill’s First Stage.
- (2) The following shall accompany the Bill on introduction —
  - (a) the statement of legislative competence referred to in Standing Order 84(2)(c)(ii);
  - (b) the explanatory and financial memorandum; and
  - (c) such other documents as the Speaker may require.
- (3) After introduction, the Bill shall stand referred to a Private Bill committee for its Investigation Stage.
- (4) The Speaker shall, as soon as is reasonably practicable after the introduction of the Bill, send a copy of it to the Northern Ireland Human Rights Commission.

### 86. INVESTIGATION STAGE

- (1) Investigation Stage shall commence when the Private Bill is referred to the Private Bill committee and shall last at least 60 working days.
- (2) The committee shall carry out an initial investigation into the general principles of the Bill and report its opinion to the Assembly.
- (3) On the report being made to the Assembly, the Bill shall be set down in the list of pending future business until a date for its Second Stage is determined.

### 87. SECOND STAGE

- (1) The debate on the motion ‘That the Second Stage of the ..... Bill be agreed’ shall be confined to the general principles of the Bill.
- (2) Amendments may be proposed to this motion, to leave out the words after ‘That’ and insert words which state a reason for the Assembly not to agree to the Second Stage of the Bill.
- (3) If an amendment proposed in accordance with paragraph (2) is negatived the Speaker shall immediately put the question that the Second Stage of the Bill be agreed.

### 88. COMMITTEE STAGE

- (1) On the Second Stage of a Private Bill being agreed, the Bill shall stand referred to the Private Bill committee, unless the Assembly shall order otherwise.
- (2) Proceedings at Committee Stage shall be conducted in accordance with the directions of the committee.

(3) The committee shall consider the Bill within the period of 30 working days from the date of referral.

(4) Before the conclusion of that period, a motion may be moved in the Assembly by the chairperson of the committee to extend the period until a date specified in the motion.

(5) The committee shall take such evidence and hear from such witnesses as it thinks fit.

(6) The parties may present their case to the committee, introduce evidence and call witnesses. A party may cross examine any other party, any witness called by that party and, at the discretion of the committee, any other witness.

(7) The parties must make full written disclosure in advance of the issues they intend to raise and the evidence they intend to introduce.

(8) The parties may act on their own behalf or by means of a representative.

(9) The committee may make such amendments as it thinks fit to the Bill and report its opinion on the Bill to the Assembly.

(10) On a report being made to the Assembly under paragraph (9), or on the conclusion of any period specified in this order or extended by the Assembly under this order, the Bill shall be set down on the list of pending future business until a date for its Consideration Stage is determined.

(11) In this order ‘**parties**’ means —

(a) the Promoter; and

(b) any Objector whose objection has been admitted under Standing Order 96.

#### **89. CONSIDERATION STAGE**

(1) Consideration Stage shall not commence until at least five working days after the Private Bill committee makes its report to the Assembly under Standing Order 88.

(2) Any amendments proposed to be made to a Bill at Consideration Stage shall be deposited with the clerk in time for inclusion on a Notice Paper circulated on a day before the day appointed for Consideration Stage. Amendments shall be arranged in the order in which the Bill is to be considered. Amendments may be moved, at the discretion of the Speaker, in very exceptional circumstances without such notice.

(3) On consideration of a Bill, the clauses and schedules shall be considered in the order in which they stand in the Bill unless the Assembly, on a motion moved after notice by the chairperson of the committee, decides otherwise. The question shall be put in respect of each clause and schedule, that the clause or schedule (or, as the case may be, the clause or schedule as amended) stand part of the Bill.

(4) Consideration of the preamble and the long title shall be postponed until after the consideration of the clauses and of any schedules.

(5) Members may speak more than once in debate during Consideration Stage.

(6) At the completion of Consideration Stage the Bill shall stand referred to the Speaker.

#### **90. ADJOURNMENT OF CONSIDERATION STAGE AND RE-OPENED COMMITTEE STAGE**

(1) The Assembly may, in view of the number or complexity of amendments proposed to be moved at Consideration Stage and on foot of a motion moved by the chairperson of the Private Bill committee, adjourn Consideration Stage and refer the Bill, together with such amendments as are thought fit, to the committee for a re-opened Committee Stage.

(2) Notice of the motion must be given to the Speaker not later than 9.30 am on the day appointed for Consideration Stage.

(3) Re-opened Committee Stage shall be conducted in accordance with Standing Order 88 save that —

(a) debate and vote shall be confined to those amendments referred to the committee; and

(b) the duration of the re-opened Committee Stage shall be determined in accordance with the motion adjourning Consideration Stage.

(4) Consideration Stage may only be adjourned once under this order.

#### **91. FURTHER CONSIDERATION STAGE**

(1) Further Consideration Stage shall not commence until at least five working days after Consideration Stage ends.

(2) Any amendments proposed to be made to a Bill at Further Consideration Stage shall be deposited with the clerk in time for inclusion on a Notice Paper circulated on a day before the day appointed for Further Consideration Stage. Amendments shall be arranged in the order in which the Bill is to be considered. Amendments may be moved, at the discretion of the Speaker, in very exceptional circumstances without such notice.

(3) During proceedings at Further Consideration Stage, debate and vote shall be confined to those amendments which have been selected. The amendments shall be considered in the order in which the relevant clauses or schedules stand in the Bill.

(4) Any amendments selected which relate to the long title shall be considered after those relating to the clauses and schedules of the Bill.

(5) Members may speak more than once in debate during Further Consideration Stage.

(6) At the conclusion of the debate on Further Consideration Stage the Bill shall stand referred to the Speaker.

#### **92. FINAL STAGE**

(1) After completion of Further Consideration Stage of a Bill, it shall be set down on the list of pending future business until a date for its Final Stage is determined.

(2) Final Stage shall not commence until at least five working days after Further Consideration Stage ends.

(3) No date may be determined for Final Stage of a Bill until —

(a) the Speaker has considered the Bill in accordance with section 10 of the Northern Ireland Act 1998 and signified to the chairperson of the Private Bill committee that in his or her opinion it may properly proceed to its Final Stage; or

(b) if the Bill is referred to the Secretary of State by the Speaker under section 10(2)(b) of that Act, the Secretary of State has signified his or her consent, or informed the Assembly of his or her opinion, under section 10(2)(c) of that Act.

(4) Debate at Final Stage shall be on the motion ‘That the Bill do now pass’ and shall be confined to the content of the Bill. No amendments may be made to the Bill at Final Stage.

#### **93. RECONSIDERATION**

(1) Notwithstanding that a Bill has been passed under Standing Order 92 or approved under paragraph (3) of this order, it shall be set down in the list of pending future business as awaiting reconsideration if (but only if) —

(a) the Judicial Committee decides that any provision of the Bill is not within the legislative competence of the Assembly;

(b) a reference to the Judicial Committee made by the Attorney General for Northern Ireland in relation to a provision of the Bill under section 11 of the Northern Ireland Act 1998 has been withdrawn following a request for withdrawal under section 12 of that Act;

(c) a decision is made by the Secretary of State under section 14(4) or (5) of that Act not to submit the Bill for Royal Assent; or

(d) a motion under section 15(1) of that Act that the Bill shall not be submitted for Royal Assent has been passed by either House of Parliament.

(2) During proceedings on reconsideration of a Bill, the Assembly shall consider only amendments proposed to be made to the Bill; and the provisions of Standing Order 89(2) shall apply to such amendments.

(3) Where a Bill has been amended during proceedings on reconsideration, the question, that the Bill, as amended, be approved shall be put immediately and decided without amendment or debate.

#### 94. CONTINUATION OF BILLS INTO NEW SESSION

(1) Where a Bill has not completed its passage by the end of a session of the Assembly, its passage shall be continued into the next session.

(2) A Bill shall not be continued if the Assembly is dissolved.

#### 95. AMENDMENTS

Amendments proposed to a Private Bill shall be relevant to the provisions of the Bill and shall not be in conflict with the principles of the Bill as agreed to at Second Stage.

#### 96. OBJECTIONS

(1) Subject to paragraph (2), any objections to a Private Bill must be lodged within 42 working days of the commencement of Investigation Stage.

(2) The committee may accept objections lodged outside that period if it is satisfied that —

- (a) there are exceptional circumstances; and
- (b) the objection is lodged as quickly as possible,

provided that the objection must be lodged at the latest before the first sitting of the committee at Committee Stage.

(3) The committee shall consider all objections lodged in accordance with this order and admit them if —

- (a) the Objector has shown that his or her property or interests are directly and specially affected by the Bill;
- (b) the objection is in such form and accompanied by such information as may be required; and

(c) the objection is accompanied by such fee as the Assembly Commission may determine.

(4) An Objector may take no further part in proceedings unless the objection is admitted.

(5) An Objector cannot raise an issue subsequently unless it was contained in the original objection.

#### 97. HUMAN RIGHTS ISSUES

(1) For the purpose of obtaining advice as to whether a Private Bill is compatible with human rights (including rights under the European Convention on Human Rights) the Assembly may proceed on a motion made in pursuance of paragraph (2).

(2) Notice may be given by any member of a motion ‘That the Northern Ireland Human Rights Commission be asked to advise whether the ..... Bill is compatible with human rights’.

(3) Notice of such a motion may be given at any time after the Bill’s introduction.

(4) On a motion being moved under paragraph (2) a brief explanatory statement may be made by the member who proposes the motion and by a member who opposes it, and the Speaker shall then put the question without further debate.

(5) Any advice tendered to the Assembly by the Northern Ireland Human Rights Commission in response to a request made in pursuance of paragraph (2) shall be circulated to all members and published in a manner determined by the Speaker.

#### 98. FEES AND COSTS

(1) The Promoter must pay the costs associated with a Private Bill incurred by the Assembly Commission (in addition to the fee which must be paid before a Bill is introduced).

(2) All fees and costs (including Objectors’ fees) payable under the provisions of these Standing Orders shall be paid to the Assembly Commission.

#### 99. PRIVATE BILL COMMITTEES

(1) The Assembly shall establish a Private Bill committee to exercise the functions set out in the provisions of these Standing Orders, in respect of each Private Bill introduced in the Assembly.

(2) Each committee shall —

- (a) consist of five members; and

(b) have a chairperson and deputy chairperson who shall be elected by the committee.

(3) The quorum of the committee shall be three. Members linked by a video-conferencing facility shall not count towards the quorum.

(4) All questions at the committee shall be decided by a simple majority. Voting shall be by a show of hands unless otherwise requested. In the event of a tied vote, the chairperson shall have a casting vote.

(5) Members of the committee shall normally attend all meetings of the committee and may be absent from a meeting in exceptional circumstances only.

(6) A member with a personal or constituency interest in the Bill shall not be eligible to sit on the committee.

(7) Each committee may exercise the power in section 44(1) of the Northern Ireland Act 1998.”

#### *The following motions stood in the Order Paper:*

(v) In Standing Order 12(1) line 2 leave out “Bills” and insert — “Public Bills”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(w) In Standing Order 13 leave out paragraph (1) and insert —

“(1) The stages and procedures for Private Bills shall be as set out in the provisions of Standing Orders dealing with Private Bills.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(x) In Standing Order 22(1) line 2 leave out “, not being a petition for a private Bill or relating to any Private Bill before the Assembly,”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(y) In Standing Order 50(1) line 2 leave out “two” and insert — “three”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

(z) In Standing Order 50(1) line 4 after “standing committees” insert —

“, Private Bill committees”. — [*The Chairperson of the Committee on Procedures (Lord Morrow)*.]

(aa) In Standing Order 50 after paragraph (3) insert —

“(4) Private Bill committees shall be established in accordance with the provisions of Standing Orders dealing with Private Bills.” — [*The Chairperson of the Committee on Procedures (Lord Morrow)*.]

The Committee on Procedures brought the ‘Report on the Inquiry into Private Legislation’ to the Assembly on 3 November 2008. That report was approved and I now table the amendments to the Standing Orders that give effect to the policies and procedures recommended in the report.

The draft Standing Orders before the Assembly today provide procedures for dealing with Private Bills. Despite the similarity in titles, private Bills should not be confused with private Members’ Bills. Private Members’ Bills are public legislation and are dealt with under the public legislation Standing Orders. A private Bill’s purpose is to obtain particular powers for an individual, corporate body or association of persons. It seeks exemptions or benefits in excess of, or in conflict with, general law, and it can relate to the estate, property, status, style or otherwise of the promoter’s personal affairs. In the main, private Bills are likely to concern the legislative arrangements for charities, colleges and churches, powers sought by local authorities, and general company law. Private Bills often seek exemptions from, or additional powers to, public law.

I have no intention today of going back over the technical issues that are associated with private Bills, as those were debated as part of the report’s approval in November 2008. I will instead give an overview of what the Standing Orders for private Bills will do.

Given that private Bills are likely to be uncommon and given the length of the Standing Orders, the Committee on Procedures is recommending that the Standing Orders for private Bills are given their own chapter at the end of the current Standing Orders. The new chapter will be called “Private Legislation” and will have 17 new Standing Orders numbered from 82 to 99.

Standing Order 82 will provide the definitions that apply to all private Bills. For example, it will provide definitions of “objector”, “promoter” and “private Bill”.

Standing Order 83 will set out the stages that private Bills will go through and will provide a brief explanation of each stage.

Standing Orders 84 to 93 will provide the detail of each Stage. Each Stage will have its own Standing Order that will provide the detail of the procedures. Those stages are based, as far as possible, on the same procedures that are used for public Bills. There will be, however, some differences. One difference will be the Preliminary Scrutiny Stage, when the promoter has to

prove that there is a need for the Bill. Another difference will be at Investigation Stage — under Standing Order 86 — when the private Bill Committee will report on the principles of the private Bill to the Assembly. By their very nature, private Bills tend to be largely unknown to Members. The report on the principles is to assist Members in understanding the Bill, and thus to help them to make an informed decision on whether they can agree on those principles.

Standing Order 88 will deal with the procedures for the Committee Stage of the Bill. It will allow for the Bill to be amended in Committee, for the promoter and objector to cross-examine each other, and will enable them to have someone else representing them.

Standing Order 89 will allow for a Consideration Stage similar to that which is in place for public Bills, with one major difference: if Members table substantial or technically complex amendments at that Stage, it can be adjourned to allow the private Bill Committee to consider the amendments. Standing Order 90 will outline that procedure.

Standing Orders 91, 92 and 93 will allow, respectively, for the Further Consideration Stage, Final Stage and Reconsideration Stage of private Bills and will reflect the provisions that are in place for public Bills.

Standing Order 94 will deal with Bills that are being carried forth into a new session.

Standing Order 95 will deal with amendments and reflect the provisions that are in place for public Bills at Standing Order 38.

Standing Order 96 will deal with objections to private Bills, including the timescale for lodging an objection, how to make a late objection and the format of an objection. The provisions for objections to private Bills are different from those for public Bills and allow a member of the public to make a formal objection to a private Bill.

Standing Order 97 will deal with human rights and will reflect the provisions that are in place for public Bills, as per Standing Order 34.

Standing Order 98 will deal with fees and costs. The actual level of the fees is not set in the Standing Orders; rather, the Assembly Commission has set the fees at £5,000 for the promoter, with a 50% reduction for charities, and objectors will pay £20.

Standing Order 99 will deal with private Bill Committees and will allow for them to be set up as per the report. For example, each Committee shall consist of five members; the quorum of the Committee shall be three; and each Committee Chairperson shall have the casting vote.



12.45 pm

There is one difference between the content of the report and that of the Standing Orders. Paragraph 61 of the Committee report allowed for a procedure called “additional provisions”. The Committee on Procedures spent considerable time on drafting a Standing Order to enable that procedure, which was based on what happens in Westminster. However, it became clear to us that there was an easier and clearer way to make that happen, which was to allow the promoter of a Bill to withdraw and reintroduce it. That procedure is more in keeping with the procedures of the Assembly as well as being simple and easy. Therefore, the Committee has gone down that route and not the one indicated in the report.

Allowing a promoter to withdraw and resubmit a Bill does not need separate Standing Orders, except for the provision on fees, which is in Standing Order 84(4). Under Standing Order 84(4), a promoter who withdraws and then reintroduces a Bill does not have to pay a second fee.

Before I address the consequential amendments that accompany the new Standing Orders, I thank the members of the Committee on Procedures. The drafting of those Standing Orders was a difficult and complex task, and it required Committee members to investigate and examine the technical detail of each Standing Order. It was by no means an easy or particularly enjoyable task, so I express my appreciation to the Committee for its time and effort. I include the Committee Clerks in that.

There are six consequential amendments, which are lettered (v) to (aa) in the Order Paper. Motion (v) deals with Standing Order 12 on public business and makes it clear that the Stages of Bills being referred to are public Bills, not private Bills.

Motion (w) deals with Standing Order 13 on private business. Standing Order 13(1) deals with private Bills and needed to be amended to reflect the new procedures.

Motion (x) deals with Standing Order 22 and public petitions; it discusses petitions for private Bills. In Westminster, private Bills are introduced by way of petition, but that will not be the case for private Bills in the Assembly. Therefore, Standing Order 22 requires amendment.

Motions (y), (z) and (aa) deal with Standing Order 50 and non-statutory Committees. Those three amendments make it clear that the Assembly has three types of non-statutory Committee: Standing, Ad Hoc and private Bill Committees.

I hope that I have provided an adequate explanation of the new Standing Orders and the consequential amendments. I recommend their approval to the House.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I support the motions. As Lord Morrow said, private Bills are rare and usually deal with specific organisations. The amendments clarify the procedures for private Bills and make the process easier.

**Mr K Robinson:** I, too, support the motions. In presenting the motions to the Assembly, Lord Morrow has made clear that they deal with an area where we have yet to test the waters. The steps and stages that the Committee have addressed will help with that. I pay tribute to the Committee Clerks for their help, advice and support throughout the process.

**Mr O’Loan:** I also support the motions. The Chairperson has done a very good job in explaining what is involved. These are necessary Standing Orders that we hope will rarely, if ever, be employed. I also thank the Chairperson, the Committee Clerk and all the Committee staff who were involved in what all Members can see was a substantial piece of work.

**Mr Neeson:** Although private Bills are few and far between, it is important that we legislate for them. As the Chairman of the Committee stated, the Assembly Commission has looked favourably on charities and tried to assist them in bringing forward private Bills. Like other Members, I thank the Chairman and the Committee Clerks for their contribution to this important work.

**Lord Browne:** I join other Members in expressing gratitude for the dedication of the Committee staff, who worked on a complicated and detailed piece of procedure for dealing with private Bills.

In the past, private Bills were dealt with in Westminster and were promoted by organisations outside the House of Commons, such as companies and local authorities, to obtain powers for themselves that were in excess of, or in conflict with, the general law. To date, no such Bills have been presented to the Assembly, but it is essential that the necessary legislation and procedure is in place to enable this House to scrutinise, and decide on, the proper course of action to be followed to reach the right decision in that eventuality.

I am confident that, after many hours of deliberation by the Committee, all the new procedures encompass the necessary steps for the Assembly to undertake competently the investigation of any private Bill that may be presented to it.

Private Bills change the law only as it applies to specific organisations or individuals rather than the general public. I welcome the fact that the new procedures will allow groups or individuals who are potentially affected by such changes to petition against any proposed Bill and to present their objections to the relevant Committees. A recent example of such a Bill was that which was presented by Westminster City Council

to prohibit the distribution of free throwaway shopping bags by retailers in London. That Bill gives powers to local authorities to enforce that prohibition, with some exemptions. Perhaps we should think about that.

I will not go through the various stages of the process. It was complicated, but I am confident that, with the passage of these changes, the Assembly will be able to deal with private Bills. Perhaps, in time, the Assembly will consider legislation similar to that in the United States of America, where private Bills were common between 1817 and 1971. Federal agencies can now deal with most of the issues that were previously dealt with by private Bills because they have been granted sufficient discretion by the United States Congress to deal with exceptions to the general legislative scheme of various laws.

I thank Lord Morrow for his expertise in guiding the Committee through this complicated but important piece of legislation. The progress of private Bills can often be slow and cumbersome, but I am confident that the procedure is now in place to deal efficiently and effectively with them.

**Mr Storey:** On behalf of the Committee, I thank the Members who supported the motion. We also thank Lord Morrow and the Committee Clerk and her staff for the way in which they guided the Committee through often technical and detailed deliberations on private Bills.

Some Members might wonder why there has been a delay in getting to this point. We debated the issues in November 2008, but the Committee is only now presenting the new Standing Orders to the House. There are two reasons for that delay: first, these are complex and technical matters, and developing and drafting the Standing Orders took a considerable time; secondly, as Members can see from the Order Paper, the Standing Orders for private Bills are rather long. That has contributed to the amount of paper that Members have in front of them.

To save money and time, the Committee decided to bring the Standing Orders as one of the last items of business in this session and to have them printed as part of the annual summer reprint of Standing Orders. Members will note that private Bills are not routine in other legislatures, but they are not uncommon. The likelihood is that a private Bill will be introduced to the Northern Ireland Assembly sooner rather than later.

However, the Committee's research indicates that the Assembly is unlikely to have more than four to five private Bills to deal with in each mandate, if that. Given that so few private Bills are expected, the Committee has, as far as possible, tried to replicate the procedures and legislative Stages that are used for other types of Bill. It is hoped that that familiarity will stand Members in good stead if ever they have to sit on

a private Bill Committee. I wish them well if that is their lot in life, and if that hand is placed on their shoulder.

There are some differences, however, such as the Preliminary Scrutiny Stage that a private Bill must undergo. That places an obligation on the promoter of the Bill to prove its necessity, to consult fully with those affected and to present the Bill in the correct format. That move is to be welcomed. The Committee ensured that that was included in Standing Orders.

The fees and expenses that the promoter and objector must pay are another major difference. It is not right that a promoter who seeks to introduce a private Bill for private gain be allowed to do so at the public purse's expense. The Committee Stage for a private Bill is a significant departure from the norm for the Assembly, but it reflects the nature of and differences in private Bills. During that Stage, the Committee will take a quasi-judicial role, and adjudicate among competing opinions.

I thank Members who have given their support to the motion, and I recommend it to the House.

**Mr Speaker:** Before we proceed to the Question, I remind Members that all the motions require cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

(u) After Standing Order 81 insert —

**"82. PRELIMINARY MATTERS AND INTERPRETATION**

(1) The provisions of these Standing Orders apply to Private Bills.

(2) In these Standing Orders —

**'explanatory and financial memorandum'**, in relation to a Private Bill, means a memorandum detailing —

- (a) the issue the Bill is intended to address;
- (b) the consultative process undertaken;
- (c) the main options considered;
- (d) the option selected and why; and
- (e) the cost implications of the proposal;

**'Objector'** means a person objecting to a Private Bill;

**'Private Bill'** means a Bill introduced for the purpose of obtaining for the Promoter particular powers or benefits in excess of or in conflict with the general law, and includes a Bill relating to the estate, property, status or style, or otherwise relating to the personal affairs, of the Promoter; and

**'Promoter'** means the individual, body corporate or unincorporated association of persons promoting a Private Bill.

**83. STAGES IN CONSIDERATION OF PRIVATE BILLS**

(1) The stages in the consideration of a Private Bill are —

- (a) Preliminary Scrutiny Stage: consideration as to whether the Bill satisfies the pre-requisites;

- (b) Introduction and First Stage: introduction of the Bill to the Assembly;
  - (c) Investigation Stage: initial investigation by a Private Bill committee into the principles of the Bill and report to the Assembly;
  - (d) Second Stage: general debate on the Bill with an opportunity for members to vote on its general principles;
  - (e) Committee Stage: detailed investigation and opportunity to amend by the committee followed by report to the Assembly;
  - (f) Consideration Stage: consideration of and an opportunity for the Assembly to vote on the details of the Bill, including amendments proposed to the Bill;
  - (g) Further Consideration Stage: opportunity for members to consider and vote on amendments proposed to the Bill;
  - (h) Final Stage: passing or rejection of the Bill without further amendment.
- (2) In the circumstances set out in Standing Order 90, Committee Stage may be re-opened.

#### 84. PRELIMINARY SCRUTINY STAGE

- (1) A Private Bill shall not be introduced in the Assembly unless the Promoter has satisfied the Speaker that —
- (a) there is proof of need for the Bill;
  - (b) there is no suitable alternative other than the matter proceeding by way of a Private Bill;
  - (c) there has been sufficient consultation with those who may be affected by the Bill;
  - (d) the Bill would be within the legislative competence of the Assembly;
  - (e) the Promoter has been authorised to promote the Bill in accordance with its constitution or such higher standard as the Speaker may require; and
  - (f) the Bill would not have the effect of authorising any sum to be paid out of the Consolidated Fund.
- (2) In addition to the requirements of paragraph (1) the Bill must be —
- (a) signed by the Promoter;
  - (b) in such form as the Speaker may require; and
  - (c) accompanied by —
    - (i) an explanatory and financial memorandum;
    - (ii) a statement in writing signed by the Promoter, to the effect that, in the Promoter's view, the Bill would be within the legislative competence of the Assembly;
    - (iii) such other documents as the Speaker may require; and
    - (iv) such fee as the Assembly Commission may determine.
- (3) The fee referred to in paragraph (2)(c)(iv) shall be reduced by 75% where the Promoter —
- (a) is a charity; or
  - (b) is a body —
    - (i) which is not established or conducted for profit; and
    - (ii) whose main objects are charitable or are concerned with science, literature or the fine arts.
- (4) The Speaker may reduce the fee referred to in paragraph (2)(c)(iv) to nil if satisfied that the Bill —
- (a) is largely the same as a Bill recently withdrawn; and
  - (b) has the same Promoter as the withdrawn Bill.

#### 85. INTRODUCTION AND FIRST STAGE

- (1) A Private Bill shall be introduced in the Assembly by the Speaker. The Speaker shall announce that the Bill has been received, has passed Preliminary Scrutiny Stage and will now be published. This shall constitute the Bill's First Stage.
- (2) The following shall accompany the Bill on introduction —
- (a) the statement of legislative competence referred to in Standing Order 84(2)(c)(ii);
  - (b) the explanatory and financial memorandum; and
  - (c) such other documents as the Speaker may require.
- (3) After introduction, the Bill shall stand referred to a Private Bill committee for its Investigation Stage.
- (4) The Speaker shall, as soon as is reasonably practicable after the introduction of the Bill, send a copy of it to the Northern Ireland Human Rights Commission.

#### 86. INVESTIGATION STAGE

- (1) Investigation Stage shall commence when the Private Bill is referred to the Private Bill committee and shall last at least 60 working days.
- (2) The committee shall carry out an initial investigation into the general principles of the Bill and report its opinion to the Assembly.
- (3) On the report being made to the Assembly, the Bill shall be set down in the list of pending future business until a date for its Second Stage is determined.

#### 87. SECOND STAGE

- (1) The debate on the motion 'That the Second Stage of the ..... Bill be agreed' shall be confined to the general principles of the Bill.
- (2) Amendments may be proposed to this motion, to leave out the words after 'That' and insert words which state a reason for the Assembly not to agree to the Second Stage of the Bill.
- (3) If an amendment proposed in accordance with paragraph (2) is negatived the Speaker shall immediately put the question that the Second Stage of the Bill be agreed.

#### 88. COMMITTEE STAGE

- (1) On the Second Stage of a Private Bill being agreed, the Bill shall stand referred to the Private Bill committee, unless the Assembly shall order otherwise.
- (2) Proceedings at Committee Stage shall be conducted in accordance with the directions of the committee.
- (3) The committee shall consider the Bill within the period of 30 working days from the date of referral.
- (4) Before the conclusion of that period, a motion may be moved in the Assembly by the chairperson of the committee to extend the period until a date specified in the motion.
- (5) The committee shall take such evidence and hear from such witnesses as it thinks fit.
- (6) The parties may present their case to the committee, introduce evidence and call witnesses. A party may cross examine any other party, any witness called by that party and, at the discretion of the committee, any other witness.
- (7) The parties must make full written disclosure in advance of the issues they intend to raise and the evidence they intend to introduce.
- (8) The parties may act on their own behalf or by means of a representative.

(9) The committee may make such amendments as it thinks fit to the Bill and report its opinion on the Bill to the Assembly.

(10) On a report being made to the Assembly under paragraph (9), or on the conclusion of any period specified in this order or extended by the Assembly under this order, the Bill shall be set down on the list of pending future business until a date for its Consideration Stage is determined.

(11) In this order ‘parties’ means —

- (a) the Promoter; and
- (b) any Objector whose objection has been admitted under Standing Order 96.

## 89. CONSIDERATION STAGE

(1) Consideration Stage shall not commence until at least five working days after the Private Bill committee makes its report to the Assembly under Standing Order 88.

(2) Any amendments proposed to be made to a Bill at Consideration Stage shall be deposited with the clerk in time for inclusion on a Notice Paper circulated on a day before the day appointed for Consideration Stage. Amendments shall be arranged in the order in which the Bill is to be considered. Amendments may be moved, at the discretion of the Speaker, in very exceptional circumstances without such notice.

(3) On consideration of a Bill, the clauses and schedules shall be considered in the order in which they stand in the Bill unless the Assembly, on a motion moved after notice by the chairperson of the committee, decides otherwise. The question shall be put in respect of each clause and schedule, that the clause or schedule (or, as the case may be, the clause or schedule as amended) stand part of the Bill.

(4) Consideration of the preamble and the long title shall be postponed until after the consideration of the clauses and of any schedules.

(5) Members may speak more than once in debate during Consideration Stage.

(6) At the completion of Consideration Stage the Bill shall stand referred to the Speaker.

## 90. ADJOURNMENT OF CONSIDERATION STAGE AND RE-OPENED COMMITTEE STAGE

(1) The Assembly may, in view of the number or complexity of amendments proposed to be moved at Consideration Stage and on foot of a motion moved by the chairperson of the Private Bill committee, adjourn Consideration Stage and refer the Bill, together with such amendments as are thought fit, to the committee for a re-opened Committee Stage.

(2) Notice of the motion must be given to the Speaker not later than 9.30 am on the day appointed for Consideration Stage.

(3) Re-opened Committee Stage shall be conducted in accordance with Standing Order 88 save that —

- (a) debate and vote shall be confined to those amendments referred to the committee; and
- (b) the duration of the re-opened Committee Stage shall be determined in accordance with the motion adjourning Consideration Stage.

(4) Consideration Stage may only be adjourned once under this order.

## 91. FURTHER CONSIDERATION STAGE

(1) Further Consideration Stage shall not commence until at least five working days after Consideration Stage ends.

(2) Any amendments proposed to be made to a Bill at Further Consideration Stage shall be deposited with the clerk in time for inclusion on a Notice Paper circulated on a day before the day appointed for Further Consideration Stage. Amendments shall be arranged in the order in which the Bill is to be considered. Amendments may be moved, at the discretion of the Speaker, in very exceptional circumstances without such notice.

(3) During proceedings at Further Consideration Stage, debate and vote shall be confined to those amendments which have been selected. The amendments shall be considered in the order in which the relevant clauses or schedules stand in the Bill.

(4) Any amendments selected which relate to the long title shall be considered after those relating to the clauses and schedules of the Bill.

(5) Members may speak more than once in debate during Further Consideration Stage.

(6) At the conclusion of the debate on Further Consideration Stage the Bill shall stand referred to the Speaker.

## 92. FINAL STAGE

(1) After completion of Further Consideration Stage of a Bill, it shall be set down on the list of pending future business until a date for its Final Stage is determined.

(2) Final Stage shall not commence until at least five working days after Further Consideration Stage ends.

(3) No date may be determined for Final Stage of a Bill until —

- (a) the Speaker has considered the Bill in accordance with section 10 of the Northern Ireland Act 1998 and signified to the chairperson of the Private Bill committee that in his or her opinion it may properly proceed to its Final Stage; or
- (b) if the Bill is referred to the Secretary of State by the Speaker under section 10(2)(b) of that Act, the Secretary of State has signified his or her consent, or informed the Assembly of his or her opinion, under section 10(2)(c) of that Act.

(4) Debate at Final Stage shall be on the motion ‘That the Bill do now pass’ and shall be confined to the content of the Bill. No amendments may be made to the Bill at Final Stage.

## 93. RECONSIDERATION

(1) Notwithstanding that a Bill has been passed under Standing Order 92 or approved under paragraph (3) of this order, it shall be set down in the list of pending future business as awaiting reconsideration if (but only if) —

- (a) the Judicial Committee decides that any provision of the Bill is not within the legislative competence of the Assembly;
- (b) a reference to the Judicial Committee made by the Attorney General for Northern Ireland in relation to a provision of the Bill under section 11 of the Northern Ireland Act 1998 has been withdrawn following a request for withdrawal under section 12 of that Act;
- (c) a decision is made by the Secretary of State under section 14(4) or (5) of that Act not to submit the Bill for Royal Assent; or
- (d) a motion under section 15(1) of that Act that the Bill shall not be submitted for Royal Assent has been passed by either House of Parliament.

(2) During proceedings on reconsideration of a Bill, the Assembly shall consider only amendments proposed to be made to the Bill; and the provisions of Standing Order 89(2) shall apply to such amendments.

(3) Where a Bill has been amended during proceedings on reconsideration, the question, that the Bill, as amended, be approved shall be put immediately and decided without amendment or debate.



**94. CONTINUATION OF BILLS INTO NEW SESSION**

(1) Where a Bill has not completed its passage by the end of a session of the Assembly, its passage shall be continued into the next session.

(2) A Bill shall not be continued if the Assembly is dissolved.

**95. AMENDMENTS**

Amendments proposed to a Private Bill shall be relevant to the provisions of the Bill and shall not be in conflict with the principles of the Bill as agreed to at Second Stage.

**96. OBJECTIONS**

(1) Subject to paragraph (2), any objections to a Private Bill must be lodged within 42 working days of the commencement of Investigation Stage.

(2) The committee may accept objections lodged outside that period if it is satisfied that —

- (a) there are exceptional circumstances; and
- (b) the objection is lodged as quickly as possible,

provided that the objection must be lodged at the latest before the first sitting of the committee at Committee Stage.

(3) The committee shall consider all objections lodged in accordance with this order and admit them if —

- (a) the Objector has shown that his or her property or interests are directly and specially affected by the Bill;
- (b) the objection is in such form and accompanied by such information as may be required; and
- (c) the objection is accompanied by such fee as the Assembly Commission may determine.

(4) An Objector may take no further part in proceedings unless the objection is admitted.

(5) An Objector cannot raise an issue subsequently unless it was contained in the original objection.

**97. HUMAN RIGHTS ISSUES**

(1) For the purpose of obtaining advice as to whether a Private Bill is compatible with human rights (including rights under the European Convention on Human Rights) the Assembly may proceed on a motion made in pursuance of paragraph (2).

(2) Notice may be given by any member of a motion ‘That the Northern Ireland Human Rights Commission be asked to advise whether the ..... Bill is compatible with human rights’.

(3) Notice of such a motion may be given at any time after the Bill’s introduction.

(4) On a motion being moved under paragraph (2) a brief explanatory statement may be made by the member who proposes the motion and by a member who opposes it, and the Speaker shall then put the question without further debate.

(5) Any advice tendered to the Assembly by the Northern Ireland Human Rights Commission in response to a request made in pursuance of paragraph (2) shall be circulated to all members and published in a manner determined by the Speaker.

**98. FEES AND COSTS**

(1) The Promoter must pay the costs associated with a Private Bill incurred by the Assembly Commission (in addition to the fee which must be paid before a Bill is introduced).

(2) All fees and costs (including Objectors’ fees) payable under the provisions of these Standing Orders shall be paid to the Assembly Commission.

**99. PRIVATE BILL COMMITTEES**

(1) The Assembly shall establish a Private Bill committee to exercise the functions set out in the provisions of these Standing Orders, in respect of each Private Bill introduced in the Assembly.

(2) Each committee shall —

- (a) consist of five members; and
- (b) have a chairperson and deputy chairperson who shall be elected by the committee.

(3) The quorum of the committee shall be three. Members linked by a video-conferencing facility shall not count towards the quorum.

(4) All questions at the committee shall be decided by a simple majority. Voting shall be by a show of hands unless otherwise requested. In the event of a tied vote, the chairperson shall have a casting vote.

(5) Members of the committee shall normally attend all meetings of the committee and may be absent from a meeting in exceptional circumstances only.

(6) A member with a personal or constituency interest in the Bill shall not be eligible to sit on the committee.

(7) Each committee may exercise the power in section 44(1) of the Northern Ireland Act 1998.”

*Resolved (with cross-community support):*

(v) In Standing Order 12(1) line 2 leave out “Bills” and insert — “Public Bills”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(w) In Standing Order 13 leave out paragraph (1) and insert — “(1) The stages and procedures for Private Bills shall be as set out in the provisions of Standing Orders dealing with Private Bills.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(x) In Standing Order 22(1) line 2 leave out “, not being a petition for a private Bill or relating to any Private Bill before the Assembly,”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(y) In Standing Order 50(1) line 2 leave out “two” and insert — “three”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(z) In Standing Order 50(1) line 4 after “standing committees” insert —

“, Private Bill committees”. — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

*Resolved (with cross-community support):*

(aa) In Standing Order 50 after paragraph (3) insert —

“(4) Private Bill committees shall be established in accordance with the provisions of Standing Orders dealing with Private Bills.” — [*The Chairperson of the Committee on Procedures (Lord Morrow).*]

**Mr Speaker:** That concludes the motions to amend Standing Orders.

## COMMITTEE BUSINESS

### Report of the Ad Hoc Committee on the Private Security Industry Order

**Mr Speaker:** The Business Committee has allocated up to one hour and 30 minutes for the debate. In accordance with the Business Committee's agreement to allocate additional time to Committee Chairpersons when moving and making a winding-up speech on a motion on a Committee report, the proposer of the motion will have up to 15 minutes in which to propose and 15 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes in which to do so.

**The Chairperson of the Ad Hoc Committee on the Private Security Industry Order (Mr T Clarke):** I beg to move

That this Assembly approves the Report of the Ad Hoc Committee (39/08/09R) set up to consider the draft Private Security Industry Act 2001 (Amendment) (Northern Ireland) Order 2009 and agrees that it should be submitted to the Secretary of State for Northern Ireland as a report of the Northern Ireland Assembly.

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

The Secretary of State for Northern Ireland referred the draft Order to the Assembly for its consideration under section 85 of the Northern Ireland Act 1998. If the Assembly adopts the Committee's report, that will, along with the Official Report of the debate, constitute the Assembly's response to the Secretary of State on the draft Order. My fellow Committee members and I hope that the Assembly's views will be given the consideration that the Assembly is entitled to expect as the main representative political body that has an interest in this area.

The Committee worked assiduously on the legislation within a challenging time frame. That task was made no easier by the fact that the legislation was brought to the Assembly without due account being taken of plenary dates here, resulting in no insubstantial foreshortening of the scrutiny period that was available to the Ad Hoc Committee. The Committee takes the view that the Northern Ireland Office should have factored that in when deciding a date for laying the draft Order. Sixty Westminster sitting days is a short enough timescale, and it took an exceptional body of men and women to do the job in record time. I believe that that work has been completed faster than that of any Ad Hoc Committee yet.

*1.00 pm*

The Committee wants to make the general point that it is in everyone's interest that, where at all possible, there is consultation with the Assembly on legislative proposals at the earliest stage and perhaps well in advance of laying a draft Order. The Committee was,

of course, conscious of the challenging timetable that it faced. We agreed with the need for regulation in this area, but we would have wished for more time to consider fully the options or variations thereof. Figures on costs that various witnesses provided could not be reconciled readily, and there were also differences of opinion among witnesses about what was the best option, with the Northern Ireland Office on one side and many others on the other.

Before proceeding, I hasten to pay tribute to the Committee members, who showed great commitment and dedication to the task in hand and who were second to none. I also pay tribute to the professionalism of the Committee Clerk and staff, without whose efforts we could not have succeeded in this daunting task. On behalf of the Committee, I also thank warmly the officials and representatives of all organisations that provided information and evidence. The Committee also had the benefit of an Assembly researcher.

The Committee was made aware that the Northern Ireland Office had conducted in 2006 an extensive and detailed consultation exercise on the regulation of the private security industry in Northern Ireland. There were about 20 responses to that consultation, and the Committee had access to analysis of that material. That proved very useful, and it was initially reassuring in view of our limited resources. The Rt Hon Paul Goggins MP, Minister of State for Northern Ireland, briefed members on the draft Order on June 15 2009. We were very grateful for his personal contribution to the inquiry, and we thank him for that.

The proposed draft Order follows the introduction of an interim licensing regime in August 2007 under the Justice and Security (Northern Ireland) Act 2007. The Government reviewed the private security industry in Northern Ireland, exploring the various options for regulation and focusing on the greatest threats to public safety, specifically that proscribed organisations should be prevented from profiting from the private security industry. That was an important issue.

However, the scheme did not address best practice issues. For instance, there are no set criteria relating to vetting for convictions, professional standards or levels of training. That created the potential for the industry to be used as a vehicle for extortion, thereby compromising the health and safety of those making use of the private security service.

The Private Security Industry Act was passed in 2001, and under that legislation, the Security Industry Authority (SIA) was established to regulate permanently the industry in England and Wales, and, from November 2007, in Scotland.

This Order is about the regulation of the private security industry here, and it extends the remit of the Security Industry Authority to Northern Ireland. The

Order, according to its accompanying explanatory documentation, aims to make minor technical amendments required to ensure that the Private Security Industry Act 2001 will operate in Northern Ireland as it does in the rest of the United Kingdom. That is all very well, but the Committee did not exist to act as a rubber stamp; it had to consider all possible options when deciding what was best for Northern Ireland.

The effect of the draft Order will be to introduce permanent regulation of the private security industry here. It aims to increase public safety and confidence in the industry; promote best practice in the industry; remove those who seek to use their position to pursue criminal activities; raise security companies' standards of competence and professionalism; and specify minimum levels of training for security personnel.

Although the Minister advised that the system works well and will ensure consistency across the United Kingdom, the Committee felt that it was important to recognise fully the well-argued opinions and experiences of stakeholders who are close to local issues and concerns; we could do nothing else. If the 2001 Act is extended to Northern Ireland, the Security Industry Authority will still have to consider factors that apply only to Northern Ireland, such as the official Office of the First Minister and deputy First Minister (OFMDFM) guidance on judicial decisions. For example, protocol should be put in place for people with conflict-related convictions, because that is a situation that applies uniquely to Northern Ireland. Applicants should be told in advance if they are going to be turned down on security grounds.

The Committee welcomes the Minister's initiative to extend the deadline for applicants to obtain a door supervisor's licence from December 2009 to 1 April 2010. There is no good reason for haste, and the Committee feels that the deadline change is a move in the right direction. There is undoubted merit in the development of the regulated private security industry, but the Committee feels that the process should be slowed down considerably to allow for the very necessary further and fuller debate. In taking evidence, the Committee noted that one of the major concerns was the high cost of obtaining a licence for door staff, which is £245 compared with around £30 under the current local arrangements.

The arguments of the Northern Ireland Office against centralised local systems included the supposed high cost and the resultant licence charge of up to £600 a person. Belfast City Council computed the costs of its scheme to be £170 a person, subject to a variance of 10%. The Committee was unable to investigate the differences because of time constraints. However, differences exist, and we feel that it is unwise to make decisions on the basis of such disputed information. Indeed, the Northern Ireland Office's costings for local

systems came down considerably towards the end of the inquiry. We feel that that is another reason to delay the decisions, particularly if the original decision to import the United Kingdom arrangements was partly based on inaccurate sums.

In the timescale available, the Committee has not been able to make a judgement on whether the quality of the local schemes is comparable with the SIA-delivered arrangements. More importantly, we do not have reliable evidence about the comparable effectiveness and value for money of the main competing options and about which represents best value for the public purse. We strongly recommend that the NIO slows down its decision-making until fuller consideration has taken place. The issue of costs is extremely important for all stakeholders.

Witnesses and members were also concerned by the findings of the recent National Audit Office report on the performance of the SIA. We recommend that the Minister should satisfy himself about SIA's capacity to deal with the additional caseload that might arise as a result of the extension of the UK legislation to Northern Ireland. In particular, it would be a good idea and good practice to consider a final-option appraisal for Northern Ireland that is based on sound facts and figures. That is a standard now expected by the taxpayer, and it would make the decision-making processes much more persuasive.

We are also concerned about the bureaucracy and added cost that is involved with the supposed need to license and train company directors. That should be examined, perhaps with a view to giving responsibility to a nominated director. If the law needs to be changed, so be it. Although I am content to acknowledge the difficulties, I strongly urge the Minister to give serious consideration to the Committee's recommendations on the draft Order.

**Ms Ní Chuilín:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo thacaíocht a thabhairt do na moltaí seo.

I support the report and its recommendations. Like the Chairperson, I thank the Assembly staff who were involved with the Ad Hoc Committee on the Private Security Industry Order for their outstanding support. I also thank the witnesses who presented evidence on the relevant options to the Committee and the other Committee members for their due diligence throughout the evidence sessions.

As the Chairperson said, the timescale for deliberation was unrealistic. Contrary to the experience of previous, and expectation of future, Ad Hoc Committees, we were not afforded the normal 60-day consultation period to deal with the SIA. The Assembly must be mindful of that in future, as we had little or no time to debate the subject. In particular, the NIO must be



aware of the expected timescale when bringing future business to the House. If the NIO's expectation was that the Ad Hoc Committee would simply rubber-stamp the scheme, it is left in no doubt today that that is not the case.

That said, I welcome the extension of the door supervision scheme to enable people to obtain a licence from December 2009 to April 2010. Door supervision was the only matter that the Committee had the opportunity to explore in any detail. As the Chairperson outlined, and as I am sure other Members will mention, we still felt that we did not have enough time. As the Chairperson said, and as the report recommends, there is a need to slow down, take stock and allow for further debate. Mixed views were expressed on the success or otherwise of the SIA in Britain. Mixed feedback led the Committee to believe that difficulties exist with some of the scheme's outworkings.

The Committee's concern relates to the implementation of the scheme: who will enforce and police it? The underlying assumption is that councils will have a role to play. If so, who will pay for the involvement of the councils and the PSNI?

The Chairperson mentioned cost; it is worth repeating. At present, anyone applying for a licence pays approximately £30 to their local council, but the introduction of the SIA scheme would increase that to approximately £500: £250 for the application and £250 for training. It was not factored in that most of the people concerned have two jobs and usually work as door supervisors at night or at weekends. Those for whom it is their first job work for only a few nights each week, and the money earned is their only source of income. However, under the SIA scheme, they would be expected to pay for 30 hours of training. An average industrial wage for working 30 hours is over £300, and the loss of the income would be in addition to the cost of £500.

The Committee had been led to believe that a local option would be much more costly; however, it is fair to say that all Committee members remain to be convinced that that is the case. The Committee would prefer local arrangements, particularly for the door supervision scheme. All Committee members want regulation and the implementation of the best option.

OFMDFM's guidelines and the judicial rulings on the employment of people with conflict-related convictions must be factored into the SIA. A better understanding of the issues is required when processing applications. Conflict-related convictions have not been an issue for either of the councils operating a scheme in conjunction with the PSNI. In processing individual applications, the PSNI has provided a great deal of scrutiny and displayed sensitivity in doing so. A person whose

application is refused is not entitled to a refund of £250, and the report recommends that that issue be tackled.

In view of the report and its recommendations, the NIO should revisit its plans. Nevertheless, I support the report and its recommendations without prejudice.

**Mr McNarry:** The Ulster Unionists broadly welcome the principle of regulation for the private security industry. It is only the private security industry that comes close to impinging on the state monopoly of force; therefore, it is sensible to put in place adequate regulation.

Our concern, however, is the excessive cost to small businesses. The Security Industry Authority, the body that performs the regulatory function, would raise the cost of registration and training from approximately £30 for Northern Ireland's voluntary arrangements to about £500.

A fuller and compulsory regulatory regime will cost significantly more than the previous arrangements, but an increase of such magnitude seems excessive. A balance must be struck between public safety and the viability of small business in the sector; it seems clear that a balance has not been achieved thus far. I am, however, hopeful that progress can be made, a view shared by the Committee.

There are also questions about the cost to the applicant and upfront charging, even if a licence is to be refused. I trust that the Secretary of State will address those concerns.

*1.15 pm*

Like many other matters, this issue has a Northern Ireland-specific aspect in that it touches heavily on how we move our society forward from the days of paramilitaries. How we deal with former terrorists is key because the sector is somewhat disproportionately populated with such people. Therefore, the question remains whether it is proper to ignore such convictions when one considers that terrorist-related convictions tend to be for the most violent of crimes, such as murder, attempted murder, assault, possession of illegal weapons or membership of a banned organisation. It takes a certain kind of person to commit such crimes, and no matter what they are like individually or what they have done since, the fact remains that a murderer is a murderer. Is it safe, therefore, never mind desirable, to put such a person on the door of licensed premises?

The report also raises concerns about the length of time that was allocated for the consultation by the NIO, and its lack of consideration for our sitting weeks. As a result, there needs to be a re-examination of how this place interacts with central Government in future.

I add my gratitude and thanks to the Committee Chairperson for the manner in which he took us through the process under very strict time restraints. I also thank



the members of the Committee and the staff who put together the report with which, as I said, we find favour.

**Mr Burns:** As a member of the Ad Hoc Committee, I support the motion and give my approval to the report.

The regulation of the private security industry is a serious matter. The Committee studied the issues as well as we could in the time that we had. We took evidence from many witnesses, including Belfast City Council, publicans, the NIO and the Minister of State, Paul Goggins. We have detailed our recommendations in the report.

Members may not be familiar with the purpose of the proposed legislation unless they have read the report or have a personal interest in the matter, although Mr Trevor Clarke, the Committee Chairperson, provided a good summary when he spoke earlier.

It is my understanding that the main idea behind this exercise was to consider extending to Northern Ireland the legislation that is already in place in Britain. The purpose of the legislation is to raise public confidence in the private security industry, to increase standards of professionalism and to make sure that there are minimum levels of training for all security personnel. When we talk about the security industry, we mean doormen, security guards, transporters of cash and valuables, CCTV operators and those who engage in other related activities.

The Committee's main recommendation is that the whole process should be slowed down. We need additional time for more in-depth discussion and to explore various issues. The Committee did not have enough time to do that because of the forthcoming recess. There is no real need to rush through the legislation, so we would like to return to it at a later date.

I agree in principle that we need more regulation, but we need more time to look at the cost of the scheme. Depending on the job, applicants may have to pay hundreds of pounds to obtain a security licence and to undergo further training. Under that system, doormen may have to pay around £250 to obtain a licence, whereas they currently have to pay only around £30. There is no evidence that doormen in Britain, who operate under a more expensive system, are any better than the doormen here. Companies that employ licensed security personnel would also be hit very hard financially. We need to investigate how to get the costs down for employers as well as employees, particularly regarding the licensing of managers and supervisors who are not involved in front line security work.

Another issue that must be explored is local to Northern Ireland. Under the proposed system, doormen with minor Troubles-related convictions may have to pay big fees up front, only to be turned down on security grounds at the end of the application process.

I recommend that all parties in the Assembly back the motion and study the report. Any changes that we make to the system must be fair, and I hope that we resume our work on the issue in the near future.

**Dr Farry:** I also support the Committee report and pay tribute to the Committee Chairperson, and to Denis Arnold and all his staff, who so ably assisted us in our deliberations.

First, I will address the issue of timescales. Committee members were all extremely frustrated by the short time that we had to consider the draft Order. That contrasted with other Ad Hoc Committees that proceeded less quickly yet had more time for deliberations. Lessons can be learned in that respect. However, if the devolution of policing and justice powers happens in the autumn, much of what is in the report will be superseded by that. What will happen there remains to be seen.

Any delay must serve a purpose. I am not sure of the logistics and legalities of the Ad Hoc Committee's reconvening, so I do not know whether it will be possible. Really, the ball now falls to the Northern Ireland Office to decide what it wants to do — press ahead or slow down to take on board and do further work on some issues that the Committee highlighted. I am not sure that fresh consultation is necessary or will happen, given that detailed consultation took place in 2006.

We must also be conscious that this is a very broad piece of legislation for the security industry. Mr Burns set out the range of different aspects to it. The Committee's focus fell more or less exclusively on the issue of door supervisors. It is important to point out that that is only one part of the legislation. We should not lose sight of the wider benefits in what the Northern Ireland Office proposes.

The security industry in Northern Ireland must be regulated. It is perceived to have, at times, been infiltrated by paramilitary organisations or organised-crime networks and to be in danger of being subject to extortion. That is at one end of a spectrum of public concerns. Another concern is the question of how wheel clampers go about their business. Therefore, regulation in itself is important.

I also see advantages in having a UK-wide framework, not least because it would allow local companies and individuals, having gone through the system, to work across the board rather than be restricted to an area in which a regulation system applies. That might also help to avoid costs.

Overall, it is important to bear in mind that there are particular circumstances in Northern Ireland. Whatever system is in place must be robust and flexible enough to take those circumstances into account. That is not to deny that particular circumstances apply elsewhere in

the United Kingdom to which the regulator will also have to respond.

Giving consideration to convictions is one way in which to address the issue of paramilitary involvement in a security company. However, the presence of convictions alone may not be the sole determinant of whether paramilitarism is involved. Out of necessity, there must be a certain reliance on intelligence, because there may be no record of convictions. Some degree of care and attention must be applied when using that intelligence, and because mistakes can be made, a right of appeal must exist. We must be conscious that although intelligence has a role to play, the process cannot be guided by intelligence alone.

We must also be mindful of the counter-argument that people with convictions should not be excluded from playing a role in society, and, indeed, from having a job in the security industry. Like other sensitive areas, those matters must be risk-assessed. However, risk assessment should not amount to an absolute bar on anybody, and we are mindful of people's ability to move on from their past. Provided that safeguards are in place, I see no particular difficulty in that respect.

One area in which we may wish Northern Ireland legislation to depart from that in the UK, and to which the Northern Ireland Office should pay particular attention, is the exemption of door supervisors from the scheme.

Reference has been made to the positive work done by a number of councils, such as Belfast City Council and North Down Borough Council — as a councillor, I declare an interest — which run schemes based on local initiatives that have worked fairly well. Moving forward, there may be scope for such schemes. The licensed retail sector is perhaps one of the less risky areas in the security industry, so there may be scope for being a bit more flexible with that sector than would be the case under a UK-wide scheme.

**Mr Bresland:** The Ad Hoc Committee considered the draft Private Security Industry Act 2001 (Amendment) (Northern Ireland) Order 2009 and produced a report on it. When completing that report, the Committee read and heard evidence from a number of public bodies and other organisations and took on board their opinions on the proposed changes to legislation and regulations. The 2009 Order is about very narrow matters in that it relates only to extending the Private Security Industry Act 2001 to Northern Ireland.

By extending that legislation, it is hoped that the reputation of, and public confidence in, the private security sector will increase. In addition, the standardisation of regulations throughout the UK would mean that, once licensed, individuals could work anywhere in the UK without the need to apply

and train for another licence. That is why many of the consultees who gave evidence to the Committee were broadly in favour of extending the 2001 Act to Northern Ireland.

Nevertheless, a number of concerns were mentioned several times during the short consultation period, including the increased financial burden that will be placed on those who require a licence and how that may lead to many experienced and skilled doormen having to leave the industry. The report takes account of all those factors and makes a number of recommendations, such as telling applicants, in advance, whether their applications would fail on security grounds, so that they could avoid unnecessary expense.

The report concludes that there is a need to regulate the private security industry in Northern Ireland. However, a more up-to-date public consultation than that which was carried out in 2006 would have benefited the decision-making process. Nevertheless, I support the Ad Hoc Committee's report, and I agree that it should be submitted, on behalf of the Assembly, to the Secretary of State for Northern Ireland.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Tá mé sásta tacaíocht a thabhairt do na moltaí seo.

I support the report and its recommendations. At the outset, I thank Denis Arnold, his administrative team and the Assembly's Research and Library Service for the support that they provided to the Ad Hoc Committee. Their assistance was most welcome and proved invaluable when compiling the report. In addition, I commend members of the Committee, particularly the Chairperson and the Deputy Chairperson, for their time and the contributions that they made.

During the consultation process, a number of issues were highlighted, mostly with respect to door staff. It is important to recognise that although consultees raised some issues, given more time — I emphasise the fact that we were not given enough time to properly assess the subject — other industry-wide matters might have been brought to our attention.

**Dr Farry:** Does the Member acknowledge that a full consultation was carried out in 2006, during which all such matters could have been brought to light by all aspects of the security industry, and that the Committee issued notices in newspapers in order to seek evidence from various sectors but that only the licensed retail sector came forward?

**Mr Boylan:** I partly agree with the Member. However, there have been many consultations in which people have failed to take part or make submissions.

There should have been a proper opportunity for people to do that, because there may be issues that have not come to the Committee's attention.

1.30 pm

One of the main issues was the anticipated costs for those who wish to register and train in the civilian security industry. Previously, the cost of obtaining a licence was only £30; the proposals could see that soaring by 1,900% to £600. That is obviously a concern to those in the industry; especially when one considers that such a relatively large amount of money may be invested only for an applicant to be refused through a criminal check, which, to all intents and purposes, would see that money lost.

The North has a unique dimension. We are all aware that we are a society coming out of conflict. Many of the people who work in the civilian security industry have been involved in political activities. They have returned to society hoping to achieve a normal standing within their communities, and should be allowed to do so. It is unfortunate that those men and women from both traditions have a stigma attached to them, which could impact on their employment opportunities and affect their families directly. I believe that a lot of people out there are trying to return to normality, and I hope that the report goes some way towards addressing those matters as regards job opportunities.

More time should be allowed to consult and the Chamber given an opportunity for a fuller debate, as suggested by the Committee Chairperson and other Members. I support the Committee's report, and I hope that the Minister takes cognisance of it.

**Mr Moutray:** I am pleased to have been afforded the opportunity to sit on the Ad Hoc Committee that considered the draft Private Security Industry Act 2001 (Amendment) (Northern Ireland) Order 2009, as referred by the Secretary of State for Northern Ireland. I found the Committee to be most informative, and I pass on my sincere thanks to all those who submitted evidence and to Mr Denis Arnold and the staff who worked to such a tight timescale.

The implementation of the Order in Northern Ireland will have a positive and affirmative outcome. It will increase public safety and confidence in the security industry. It will promote best practice within the industry and remove those who may seek to use their position to pursue criminal activities. It will also raise standards of competence and professionalism for security companies. It will help to improve the reputation of the industry and make it an attractive career.

The extension of the Security Industry Authority's remit to Northern Ireland will be of benefit, and I welcome the fact that the change was supported by the PSNI and the British Security Industry Association during the consultation period for the document entitled

'Regulating the Private Security Industry in Northern Ireland' in 2006.

The Committee noted that the overall aim of the Order is for activities that are at present designated under the Private Security Industry Act 2001 in England, Wales and Scotland to be designated to Northern Ireland from December 2009 and in April 2010. That will bring about a positive change. For example, the Order will mean that the Security Industry Authority, which is operational in the rest of the UK already, will be required to issue a licence, as in England, Scotland and Wales, for activities such as cash and valuables in transit, security guarding, key holding and door supervision. Those services are all important and bring with them great responsibility.

The legislation is needed. It will help to prevent those with criminal convictions from acquiring positions, unlike the current unregulated system in Northern Ireland. It is important that we align ourselves with the rest of the UK and this legislation will bring about positive change. However, I am aware that the SIA must operate within unique guidelines in Northern Ireland.

I have concerns about the cost of £245 for obtaining a licence, which I feel is excessive. There should be a review of the charges and the possibility of their being waived should a person fail to obtain a licence; a reasonable ask, given today's economic climate.

I am also concerned that all the directors of any company that wishes to operate a licence will have to be trained and licensed. Surely that is a case of bureaucracy gone mad. It would be more practical for one nominated director to take responsibility. The obligation on all company directors to be trained and licensed will prove to be another burden on small businesses.

I support the motion. However, in future, the Northern Ireland Office should put further thought into timing. It is regrettable that, owing to the summer recess, the report had to be rushed.

In conclusion, I believe that the people who are working in the industry are fit and proper persons who have received adequate vocational training for the role that they perform.

**Mr McFarland:** I thank the Ad Hoc Committee Chairperson, Deputy Chairperson and members for their work, and, in particular, I thank the Ad Hoc Committee staff for their efforts in support of the Committee.

The Private Security Industry Act 2001 (Amendment) (Northern Ireland) Order 2009 is parity legislation. Similar legislation has existed in England and Wales for some time, and we want to replicate that here.

I pay particular tribute to North Down Borough Council and to Belfast City Council. Some time back, officials from those councils saw the need to protect



door staff. Members will know that those councils have had a system for doing so in place for some time. They are pathfinders, and they are to be commended for their early spotting of a problem here. However, we need to have a Northern Ireland-wide system that will cover all the council areas so that everyone operates on a level playing field.

Parliament gave the Assembly the full eight weeks for consultation to which it is entitled. Parliament gave us until 21 July, the date on which Westminster rises for summer recess, to complete the report. Members will have spotted that the Assembly rises on 3 July for its summer recess, and I am amazed that Parliament did not spot that. The time that was available for the completion of the report was, therefore, cut in half. It is silly that the two bodies cannot be better co-ordinated.

There is an issue with the obligation on all directors of a company to be cleared for security work. Imagine a small, family-owned, rural pub, of which four of the family members are the pub's directors. It seems silly that all four of them have to go through the expensive process of being trained, having to attend various courses, and having to pay a lot of money to become qualified as security assessors. Why can we not have a situation in which one of those family members is in charge of security? That should be looked at.

I have concerns, which I raised at Committee meetings, about the Security Industry Authority's ability to oversee the system. Last year, a National Audit Office report into the SIA's ability to monitor and police the system in England was critical of that body. We raised that with the Secretary of State, and he has assured us that the SIA is now up to speed. However, I still have doubts as to whether the SIA is capable of taking on the extra burden of Northern Ireland, especially since it was called to book last year in GB. We need to look at the SIA's capabilities again.

There has been a lot of confusion about conflict-related convictions. In a famous speech, my party's former leader David Trimble said that just because someone has a past does not mean that they cannot have a future. That is a good guideline. However, the Government were encouraging businesses to ignore conflict-related convictions. For instance, Lord Justice Kerr made a legal judgement on PSA licences for taxis. However, that was overturned by the McConkey appeal in the House of Lords, which ruled that one had to pay attention to conflict-related convictions. Furthermore, we have had guidance from OFMDFM that says that conflict-related convictions can be ignored. That is confusing to everyone. The NIO and other relevant bodies must work out the rules of the game before the legislation is introduced in Northern Ireland.

I have identified several complex areas. There are a number of areas in which clarity is required. The NIO

needs to slow down the process so that Members have the opportunity to examine the matter more fully. However, as my colleague Dr Farry said, I am not sure how that can be done legally. In any case, the NIO needs to take on board the points that we have raised so that we get the system right and that when it is introduced in Northern Ireland, it will be a fair and equitable system that people support.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom a rá ar dtús go raibh díospóireacht mhaith againn inniu agus ba mhaith liom mo bhuíochas a thabhairt do achan duine a labhair ar maidin.

I speak today as the Deputy Chairperson of the Ad Hoc Committee. Today's debate has been good and worthwhile, and has dealt with a piece of legislation, which, if it does go forward, will form the law that will regulate the private security industry in the North.

I do not want to summarise the contributions of all the Members who spoke during the debate. However, up to 10 Members did speak, and the majority, if not all, of them outlined their concerns about the time limited nature and restraints that the Committee worked under in completing its report. When placing draft Orders before the Assembly in future, I hope that the NIO realises that, for the Assembly to carry out its work properly, an Ad Hoc Committee requires an appropriate amount of time. Notwithstanding the point made by Stephen Farry about previous consultation, and the fact that the Committee gave notice to people to give evidence, the point had been made, particularly by the last Member to speak, Alan McFarland, that the Committee did not have the appropriate amount of time to carry out its work, and that is important.

The value of the draft Order is that it will regulate the private security industry here along similar lines as in England, Scotland and Wales. I am aware that there are some reservations with that, which have been outlined this morning, but the consensus of the Committee, the industry and all those involved is that that industry should be regulated.

In its report, the Committee makes seven important recommendations on the application and implementation of the legislation, which deal with areas such as the resourcing implications of the Order's provision. The Committee strongly recommends that the British Secretary of State considers slowing down the implementation process to allow for further debate.

The report also highlights areas in which the Committee has concerns and where it felt that more debate would be of value. Such issues, which were also raised during today's debate, include option costs, the need for a locally based authority and the impact of what have been termed "conflict-related offences." Those are all areas the Committee considered that the NIO



should revisit in the interim and prior to any legislation being enacted.

The Committee expects that the NIO and its Secretary of State will take the fullest account of its report and recommendations, which carry the imprimatur of the public representatives of the Assembly.

In conclusion, I want to place on record the Committee's thanks to all those who gave evidence or made written submissions to the Committee. The Committee also wants to thank the Chairperson for steering it through its inquiry, and I echo the sentiments made earlier in the debate about the excellent work of the Committee Clerk and his staff under such trying time restraints.

The Chairperson of the Committee today described it as "the fastest Ad Hoc Committee ever," and perhaps we could look in the next edition of the 'Guinness Book of World Records' to see whether that is the case. However, in the meantime, the Committee is happy to commend the report to the House, and it asks Members to adopt it as the Assembly's official response to the draft Private Security Industry Act 2001 (Amendment) (NI) Order 2009.

*Question put and agreed to.*

*Resolved:*

That this Assembly approves the Report of the Ad Hoc Committee (39/08/09R) set up to consider the draft Private Security Industry Act 2001 (Amendment) (Northern Ireland) Order 2009 and agrees that it should be submitted to the Secretary of State for Northern Ireland as a report of the Northern Ireland Assembly.

## COMMITTEE BUSINESS

### Senior Civil Service Pay and Bonuses

**Mr Deputy Speaker:** The Business Committee has allowed up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** I beg to move:

That this Assembly expresses concern at the current arrangements for awarding pay and bonuses to senior civil servants in the NICS, in the context of the Executive's focus on public sector performance and efficiency; welcomes the decision by the Minister of Finance and Personnel to commission a local and independent review of the pay arrangements for the senior civil servants in the NICS; and calls on the Minister of Finance and Personnel to ensure that the review is comprehensive, in that it includes the grades at pay band 1 (assistant secretary), pay band 2 (deputy secretary), pay band 3 (permanent secretary) and head of Civil Service, and that it assesses the effectiveness, efficiency and appropriateness of the pay arrangements, having regard to the local economic conditions, and recommends reforms as necessary.

Go raibh maith agat, a LeasCheann Comhairle. The Committee for Finance and Personnel agreed to table this motion for debate on the basis that it will give all Assembly Members an opportunity to inform and influence the forthcoming review of future arrangements for awarding pay and bonuses to senior civil servants in this region. I welcome the Minister's decision to accept the Committee's recommendation that there should be a local and independent review of that policy area.

*1.45 pm*

The Committee started its initial investigation after it discovered that the total amount awarded in annual bonuses had more than doubled over the past five years, reaching more than £1.2 million in 2008. Individual bonuses ranging from £5,000 to £10,500 have been awarded to 75% of the senior officials at pay bands 1 and 2. In addition, the Committee found that separate arrangements exist for awarding pay and bonuses to permanent secretaries and the head of the Civil Service. In the case of those higher grades at pay bands 3 and 4, all the post holders received bonuses in 2008 ranging from £5,000 to £18,000.

The unions have commented on the issue and stated that the present pay system for the Senior Civil Service can be divisive, is failing to meet Government objectives and is no longer fit for purpose. Similarly, senior officials from the Department of Finance and Personnel have admitted to the Committee that they consider that bonuses do not motivate people; indeed, those who do not receive bonuses become demotivated.

The Committee has identified a number of concerns that arise from the oral and written evidence from Department of Finance and Personnel (DFP) officials, and those will need to be factored into the forthcoming review. They fall into three broad themes, the first of which is how effective the existing pay arrangements are in driving high performance. I preface my remarks by acknowledging that there are undoubtedly areas in which our Senior Civil Service excels and in which individual performance is exceptional. That said, the Committee has previously raised concerns about the performance of senior officials in certain key areas such as financial management, project management, sick absence management and the achievement of key business targets.

The Committee's concerns were underscored when it discovered that bonus awards had been made to senior management in business areas and agencies whose failure and underperformance had become all too evident. Only last week the Committee found glaring weaknesses in the standard of performance reporting in DFP on progress against the departmental public service agreements and business plans for 2008-09. Indeed, the Committee agreed to send the report back to be updated and amended. Members have queried whether the approach of distributing sizeable bonuses to approximately 75% of senior staff at pay bands 1 and 2 would, in fact, have the effect of rewarding mediocre and low-end performance. Members noted the weaknesses inherent in the system and the lack of a clear linkage between the achievement of both personal performance targets and business targets, and the award of bonuses. It was also noted that few if any senior public officials are sanctioned for underperformance when it occurs. We believe that that is related to a general shortcoming in managing poor performance at an individual level in the Civil Service.

The second broad theme deals with how the position of our senior civil servants compares with that of their private-sector equivalents and how efficient the current pay arrangements are. The Committee found evidence to indicate that the pay of senior civil servants in this region is over 22% more than that of their private-sector equivalents, whereas in Britain it is 8% below the private-sector level. It has also been noted that those in the lower grades in the Civil Service, whose pay is negotiated locally, are on a par with their private-sector equivalents. The Committee considers that the comparison between private-sector and public-sector pay levels has a particular relevance during the current economic downturn in ensuring that the pay arrangements for senior civil servants are efficient and do not stymie the growth of the private sector here, a point that was specifically made in Sir David Varney's review of the competitiveness of this region.

Members raised the issue of the apparent lower levels of risk facing senior civil servants here when compared with their private-sector equivalents, including in the area of job security. Discussions also took place on the attractiveness of public-sector pension arrangements as compared with those in the private sector.

The third area deals with the broad question of why we should mirror the Whitehall arrangements. The Committee was unable to find evidence that the Civil Service here is experiencing the same difficulties in recruiting and retaining staff at senior grades that are being faced in Whitehall and elsewhere. Given that fact, and the lower wage demands locally, members questioned the need to have pay scales, including starting salaries, that are on a par with Whitehall.

Members also queried the extent to which senior civil servants in this regional Administration are able to draw on the work of their Whitehall counterparts, and, as such, their posts here require less originality and creativity. The Committee also noted that the principle of parity of pay between here and Whitehall has already been broken at the middle and junior ranks in the Civil Service but that it has been steadfastly maintained for senior civil servants. It was also noted that the Senior Salaries Review Body takes no account of local economic conditions when determining the pay and bonus awards for Whitehall senior civil servants, which are then applied across the various jurisdictions.

The Committee's investigations raised doubts about the applicability to the Civil Service of the Normington Review recommendations for future Whitehall arrangements for pay band 1 and pay band 2. Members also raised concerns at the apparent lack of independence and transparency associated with the pay systems for the higher grades at pay band 3 and pay band 4, which include the posts of permanent secretary and the head of the Civil Service here.

The forthcoming review must take a comprehensive approach to assessing the present system for awarding pay and bonuses to the various grades of the Senior Civil Service. That should not be confined to certain pay bands or to simply finding the mechanism for taking local conditions into account when establishing pay awards. Indeed, the review should involve a root-and-branch appraisal of current arrangements, and it should, among other things, consider grading, performance management and pay structures as well as alternative models for incentivising and rewarding high performance and for sanctioning poor performance. We should aim to ensure that we have effective and efficient pay arrangements for our senior civil servants that are tailored to our local social and economic circumstances.

I will take off my Committee hat and speak briefly on behalf of Sinn Féin, which seeks better accountability and transparency. Sinn Féin is content to reward innovation and strong performance when that occurs, but it wishes to balance that with effective sanctions where underperformance or failure is demonstrated. Sinn Féin believes that the review provides an important opportunity for the Assembly to put down a clear statement of intent for other aspects of Government and Administration here, which includes quangos, arm's-length bodies — or hands-off bodies, as I call them — agencies, boards, consultants, and so forth.

There is a rich vein of exploration for the Assembly, and we can demonstrate that the Assembly can deliver value for money. I urge a short, sharp review of the senior cohort of the Civil Service here — some 250 personnel — and new standards; renewed and reinvigorated management of the public service; and better and more timely and effective delivery of business and personal performance targets. That is the goal.

**Mr McQuillan:** I welcome the opportunity to debate the motion on the review of pay and bonuses for senior civil servants in Northern Ireland. A transparent, independent review that addresses any differences is welcome, but, as we are well aware, we are experiencing difficult economic times and the constraints that that poses on the public purse. Current bonuses that are due to senior civil servants are overdue, and the Minister must decide how and when they will be paid. The review is ongoing, and it will not be a quick process. However, the Minister will make the correct informed decision on how and when the outstanding bonuses will be paid.

I remind the Assembly that this is not the only bonus outstanding, as we have still not managed to address the ongoing equal pay arrangements for the remaining civil servants in Northern Ireland. That review will also be costly, but it should bring forward the desired outcome of a fair monetary award and a transparent system, which are required for the future.

When the Minister considers the draft terms of reference, he will identify more specific areas for senior civil servants in Northern Ireland. The awards should, at least, equate to their counterparts in mainland UK and should have consideration to the ongoing Normington Review. That review should not necessarily have a final bearing on any decisions made by the Minister for the monetary awards of senior civil servants in Northern Ireland. However, any relevant findings may be considered following the conclusion of the independent review of pay that he commissioned.

He must also highlight the importance of encouraging the recruitment and promotion of suitable, qualified, professional people to fill the more senior roles in the Civil Service, and ensuring that the pay rewards reflect

fairly the achievements of any Departments and agencies during the relevant period.

There is a lot more that could be said about the matter, but I will await the outcome of the review and its recommendations. I support the motion.

**Mr McNarry:** In considering the motion it should also be said that in no way should either lower-grade civil servants or those wishing to take up a career in the Civil Service be restrained in their ambitions to make progress in climbing onto, or up, the career and promotional ladder. They are not in the dock.

The strange thing is that those facing scrutiny through the motion and the review are not under our charge. They do not work for the Northern Ireland Assembly but for Executive Departments. Non-ministerial MLAs — most of us — have an entirely separate regime of employees administering the Assembly for us. The only structured point of contact between us and the top players in the Civil Service is when we come together in Committees. It is there, when we scrutinise and probe the performance of the Ministers and their team of masterminds, that one can experience how wide the gap can be between the Executive set-up and the inner workings of the Assembly.

In top civil servants, we are talking about a select group of elite untouchables, many of whom in fact earn considerably more than the Ministers they serve. Those top civil servants, in true “Sir Humphrey” fashion, must be super civil servants, who are seldom sacked, demoted, given gardening leave or even heard apologising for a mistake.

People today rightly call for openness and transparency, and they are justified, as the expenses explosion has revealed, in being angry and discontented with Government here and at Westminster. So too should we, if we are doing our jobs professionally, be angry and discontented with Government. Are MLAs at fault for: the departmental negligence in relation to the Northern Ireland Events Company; the ham-fisted manner behind the collapse of Workplace 2010; the disgraceful bills for millions of pounds wasted on unnecessary consultation documents, which have become a virus; the debacle surrounding a national stadium at the Maze that will not be built; or the over-estimating of disposable land at Crossnacreevy, where £160 million suddenly became £6 million? Is it down to us that 6,500 high-salary jobs were predicted but will not materialise, and that no one seems to have a clue where we are with Land and Property Services?

Surely, as the Chairman mentioned, what happened at last week's meeting of the Finance Committee perfectly illustrates how the frustrations and anger of MLAs can be transmitted. The Committee told top civil servants to take back their report on DFP performance against 2008-09 public service agreement (PSA) and



departmental targets and to rewrite it. The amazing thing was that the flaws were not hard to find, yet we were told that the report had been carefully assessed for its accuracy by its presenters.

I have read the case for the defence. It comes from none other than the First Division Association — imagine that. The First Division Association tells us that bonus payments are only made to staff who achieve or exceed their work objectives, and adds that pay for senior civil servants is well below that of employees doing similar work in the private sector, suggesting that the first division staff are paid as little as half of what their comparators in the private sector earn. However, I note that there is no mention of the near certainty of job security, or the sizeable pension benefits for senior civil servants, which many in the private sector believe swing the overall package in favour of, somewhat aptly named, first division players.

I am not critical of the pay that those people receive, nor the pensions or the job security. Those have been set. However, if they are envious of comparatives in the private sector, then the obvious question is; why do they not see how it is out there? Why do they not see how they can hack it in a world where mistakes that prove costly are not rewarded? I cannot find favour with the suggestion that they are not content with their high salaries, job security and handsome pension because there is a culture of expectancy of a bonus payment, irrespective of their performance.

I believe that the public feel that such a culture is beyond the scope of justification. To that end, my party's view is that bonus payments should be scrapped. Last year, the taxpayer paid a staggering £1.2 million in bonuses across all Departments. Someone must stand up and tell me and the people how and why that was the case.

2.00 pm

**Mr O'Loan:** I welcome the motion, and I regret that an SDLP amendment was not accepted for debate. At the Committee for Finance and Personnel, I said that I broadly supported the wording of the motion, but my party colleagues and I sought to amend the motion to make it more explicit in respect of the cessation of bonuses in the Senior Civil Service and to extend the review to the whole of the senior public sector, which is an important point. Although the amendment was not accepted for debate, I shall make points arguing for those measures.

This matter must be resolved in a calm and collected fashion. The discussion must be evidence based, and it must not look anything like a vendetta against senior civil servants. There is a danger that some of the language might stray into that territory.

One of my main criticisms of a bonus system is that, in spirit, it is opposed to a proper public service ethos.

We must recognise that, by and large, civil servants approach their jobs in a conscientious manner and act in the public interest. Many of them give unstintingly of their time and efforts.

It has been mentioned that 200 senior civil servants received around £1.1 million in bonuses last year, and that 75% of senior civil servants get bonuses, while 25% do not. The architecture of that system raises many questions. Thirteen permanent secretaries received bonuses totalling £123,000, with one bonus, remarkably, being £18,000. The bonus pot has increased gradually over the years. It is now 8.6% of the total salary bill, and there are plans to increase it to 10%.

We are told that the point of the system is to give significant rewards to the best performers and, hence, to reward continuous improvement. That is, of course, a Thatcherite idea, and dates back to the time when it was regarded that the only way to improve public-sector performance was to make the public sector more like the private sector by paying by results. Everything was made measurable, a system of targets was created, and rewards were made on that basis. That led to a huge rise in the salary levels in the highest levels of the public sector and created a bonus culture. That is fundamentally at variance with a public service ethos.

The Department of Finance and Personnel's permanent secretary gave important evidence to the Committee on 25 March 2009. His remarkable words were:

“Many of us think that the way in which the present system operates, and has operated, here has had a substantial disincentivising effect on people rather than an incentivising effect. The quotas that are applied, and the way in which they operate, can mean that bonuses do not motivate people.”

One could not argue the point better. That high-level evidence must be taken seriously.

The issues of recruitment and retention are critical. The Committee received clear evidence that there is no problem with retention; very few senior civil servants leave before retirement. The issue of recruitment is more mixed; we received evidence to show that to recruit, it can be necessary to place people on a salary that is higher than the base of a particular salary grade. That is one reason why the matter must be looked at in the round; higher-level salaries in the whole of the public sector will need to be examined, otherwise great damage may be done to recruitment into the Civil Service.

I endorse the points that the Chairperson of the Committee for Finance and Personnel made that public-sector salaries at the highest levels are significantly higher than those in the private sector, and about the astonishment that many of us have about bonuses when it is clear that the people who are receiving them are not delivering. Land and Property Services has been heavily criticised in the Assembly,



yet in 2008, seven significant bonuses were awarded, including one of £10,500.

I wish to introduce a note of caution to tie in with my earlier remarks about our comments not appearing to be part of a vendetta. The situation in the Senior Civil Service is nothing like that which exists in, for example, the BBC, where 47 directors earn more than £200,000 a year. We are told that the director general received a package for 2007-08 that is worth £816,000.

The median salaries in the top three grades in the Northern Ireland Civil Service, omitting the head of the Civil Service, are £61,000 at pay band 1, £90,000 at pay band 2, and £101,000 at pay band 3. Although those are high salaries, they do not venture into the area of abuse of public money. Therefore, let the review of the entire public sector proceed. Let the Senior Civil Service know that although it values its work, the Assembly wants to move to a fairer system that properly recognises relativities, abilities and achievements.

**Dr Farry:** I, too, support the Committee's motion. There has been much discussion on the subject. Throughout society, there is great concern. It is important that the Assembly stress that it is interested not in pitchfork populism and in taking cheap shots at individuals but in recognising that there are jobs for which people must be paid competitive and, indeed, high salaries, and that people who are properly qualified and who do important, high-risk jobs must be rewarded appropriately.

Much of the background to the debate is set out in Sir David Varney's second report, which is titled 'Review of the Competitiveness of Northern Ireland'. Indeed, he expressed great concern about public-sector salaries here. I believe that the average public-sector salary is 19% above that in the private sector, and for top grades, the figure is 22% higher. We are talking about a major distortion of the local labour market. At lower grades in the Civil Service, pay may be lower than it is for similar private-sector posts. It is important that the Committee send out the message that that is not an issue of concern to it.

At higher grades, however, there is a major pay differential with the private sector, and that in turn creates a potential crowding-out of the market. It is worth pointing out again that pay for lower Civil Service grades is often set locally. However, for higher grades, pay is set at a UK-wide level, which does take into account gross value added (GVA) differentials throughout the United Kingdom. In particular, in London and the south-east of England, private sector pay massively outstrips that of the public sector. There it is right that competitive salaries be paid, in order to attract certain people away from the private sector and into the upper reaches of the Civil Service.

It is important to recognise that people in the private sector run much higher risks in their jobs. In particular, in the context of the economic downturn, a person runs the risk of losing his or her job if a company gets into financial difficulties. By contrast, there tends to be much greater job security in the Civil Service. Indeed, in some cases, there is total job security. Few people lose their jobs through underperformance in the Civil Service as a whole, not least when it comes to management of financial matters. Its employees receive good pensions and, sometimes, gongs at the end of their tenure in recognition of their work on the public's behalf and of their having forgone the greater financial rewards that exist elsewhere.

In Northern Ireland, the opposite is true. Crowding-out is a danger should the best talent be attracted to the Civil Service, because its pay and conditions are better than those of the private sector. The situation is the wrong way around. In essence, that is the major distortion that exists in Northern Ireland's labour market: although it is a distinct labour market, Civil Service pay is organised on a UK-wide basis.

Great concern arose about bonuses. I must point out that bonuses are paid out based on the Department's relative performance internally, as opposed to its absolute, overall performance. To be rather flippant about it, one could make the point that the Civil Service bonus scheme is the only area of Government expenditure in which there is guaranteed not to be any underspend at the end of the year. The money is always paid out regardless and is divvied up among qualifying civil servants according to internal formulas. That process is often clouded in mystery.

In a sense, civil servants can have a good, attractive job in Northern Ireland, and they get well rewarded without having to bear the same risks that apply in the private sector. It is important that the Assembly makes what efforts it can to rebalance and modernise the whole Northern Ireland economy. Addressing public-sector pay has to be a key element of that.

**Mr Weir:** I am pleased to support the motion. This is an issue around which the House can unite. Voices from across the Chamber may take different tones, but they support this motion. The Committee's view and the review announced by the Minister also face the same direction.

As Declan O'Loan put it, we should approach this matter in a calm and collective manner and put it in a proper context. I wonder whether his references to the expenses of BBC executives will make the highlights programme, 'Stormont Today', or will be edited out.

We must look at this matter as dispassionately and as fairly as possible and ensure that, in our remarks and our approach, we do not lapse into populism or indulge in the politics of envy. All 220 senior civil

servants earn more than the basic pay of an MLA. It may be that MLAs' pay is such that some senior civil servants would not get out of bed for it. By the same token, if we were to push for performance-related pay, some unkind souls, with whom I would strongly disagree, might look at some Members of the House and conclude that if they were paid on performance, they would be selling 'The Big Issue' by the end of the day.

We have to ensure that this matter is considered in a proper context. We must ensure that pay is fair and equitable. The current system has not been plucked out of the air but has followed the example of Whitehall. Undoubtedly, there will be problems with scrutiny of the system. Various statistics will be used to draw comparisons with wages in the private sector. Some of those comparisons will be fair and some will not.

In any review, it is important that we look at prevailing circumstances in Northern Ireland. If it is argued that our system objectively follows that of Whitehall, it may be countered that the present system is not fully tailored to the needs of Northern Ireland and that the circumstances of our private sector have not been fully taken into account. It is important that we balance appropriate levels of pay and conditions for senior civil servants so that we can still attract the best people into the Civil Service. I listened to what Mr McNarry said about the different areas of government. We must attract the best people into the Civil Service to ensure that mistakes are not made. We must also ensure that proper value for money is obtained. Therefore, there is a balance to be struck.

I agree that there is a culture of expectation at present. A permanent secretary said that in some respects, the current system disincentivises those who produce the best performances. The system rewards 75% of senior civil servants and cannot, therefore, be a proper bonus system. Bonuses may have a role to play, and I do not want to prejudge the outcome of any examination. However, if they are to be paid, it must be on the basis of rewarding added value, over and above that normally expected of a senior civil servant. That is the proper role of any form of bonus.

We must also put that issue into the context of the amount of money involved. The total Senior Civil Service pay bill comes to about £14 million. It was indicated that bonus payments totalled £1.2 million. From the point of view of equity, it is important that we do not raise public expectations that there are millions of pounds to be saved; clearly there are not.

2.15 pm

We need something that is fair and transparent and can produce the best within the Civil Service, rather than the expectation that a cheque will arrive at the end of the year. Consequently, I welcome the Minister's proposals, and I hope to see something that is

independently led so that there is a fresh examination of the position.

**Mr Deputy Speaker:** The Member should bring his remarks to a close.

**Mr Weir:** I, therefore, support the motion.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion. As some Members have said, for obvious reasons, there has been a lot of interest recently in how public money is being spent. Many people are facing financial difficulties; it is, therefore, justifiable that the position of people employed in the public sector, in particular, should be scrutinised. The lack of accountability and transparency in the public sector is no longer acceptable.

The pay arrangements for senior civil servants in the North are based on a system that has operated for such staff in Britain since 2002 and includes a mandatory bonus scheme. A recent review of pay arrangements for civil servants in Britain resulted in a number of recommendations, including the proposal of a new pay model.

The Committee for Finance and Personnel recommended that an independent review of the bonuses handed out to civil servants in the North be carried out. The Minister has since proposed such a review. I welcome the fact that the Minister took on board the Committee's suggestion.

Senior Civil Service pay is performance-based. For the base pay award, members of the Senior Civil Service are assessed on their performance in relation to their peers and, as a result, are typically allocated to one of three pay tranches. In 2008, the increases in base pay that applied to each tranche were 2.75%, 2.5% and 1% respectively. The year 2009 marks the second year of a recommended three-year pay award, which is an indicative 7% growth in the pay bill for 2008-2011. The bonus system recommended by the Senior Civil Service Review Board was set at 8.6% of the pay bill for the 2008 award. The review board also recommended that that should increase to 10% by 2011.

I am conscious of the fact that those are very technical figures. The reason why I have quoted them is that the crux of this system is that senior civil servants are already paid large salaries, and yet they are eligible for added bonuses that are not available to those at lower grades in the Civil Service. I want to quote a few other figures to get the sense of this.

Last year, senior civil servants in the North of Ireland were each paid bonuses worth an average of more than £8,000. That amounts to almost double what was paid five years ago. Almost 75% of 200 senior civil servants received bonuses that amounted to more than £1 million. That figure is not justifiable when it is set against performance in key areas of financial management, in

particular Departments' habitual underspend, the high incidence of sick absence, and the achievement of departmental or public service agreement (PSA) targets, which are issues that we constantly debate in the Chamber and Committees.

In addition, the equal pay dispute, which affects a large number of people, has still not been resolved. People at the lower grades receive nowhere near as much in pay increases as senior civil servants do in bonuses. There is no justification whatsoever for paying those bonuses.

Some groups, in particular women, are under-represented and only reach a certain level in the Civil Service. Women are sometimes prevented from gaining promotion for other reasons, and so do not reach the higher levels of the Civil Service. That is an equality issue.

There must be a local and independent review of the pay arrangements for senior civil servants and an end to the bonus system. I hope that the review is transparent and that it is carried out quickly, because we are accountable to the public. People working in the public sector must also be accountable. I support the motion.

**The Minister of Finance and Personnel (Mr Dodds):** I welcome the debate, and I am grateful to the Committee for its examination of pay and rewards for senior civil servants, which is a complex issue. I am glad that the motion welcomes my decision to commission a local and independent review of the pay arrangements for senior civil servants in the Northern Ireland Civil Service. I also welcome the opportunity that the motion has given me to hear at first hand Members' views on the issue and to provide some of the context of the decision that I made a short time ago to commission the external review.

As Members pointed out, there are approximately 220 senior civil servants working across the 11 Northern Ireland Civil Service Departments and their executive agencies. Twenty-five per cent of those people are professional staff, such as medical doctors, lawyers, engineers and veterinary professionals. All the staff play a vital role in the governance of public services in Northern Ireland.

The current pay system for senior civil servants in the Northern Ireland Civil Service was introduced in 2002 and is a performance-based system. As Members know, individual pay awards are determined each year by an assessment of an official's performance and contribution relative to their peers. Under the current system, the pay system comprises two core elements: a base pay award; and a non-consolidated, or non-pensionable, bonus payment.

One Member referred to the mystery surrounding the criteria for the application of the bonus. Under the current system, specific criteria are applied to the

assessment of individuals to determine the level of base pay award and non-consolidated bonus that they should receive. Those criteria are published each year as part of the annual Senior Civil Service pay strategy, and the process by which decisions on individual awards are made is based on a performance-management system, which is also published. That must be put on the record in answer to the allegation that a shroud of mystery exists.

All that follows the recommendations of the Senior Salaries Review Body (SSRB) and Cabinet Office guidance on Senior Civil Service pay strategies. It should also be noted that the Senior Salaries Review Body has recommended increases in the proportion of the pay bill that should be available for non-consolidated bonuses and reductions over recent years in the level of consolidated base pay award.

As a number of Members said correctly, the essential and important role of senior civil servants in supporting Ministers in policy and delivery is broadly similar across the UK. Consequently, senior civil servants in all parts of the United Kingdom have a common grading structure, a common job-evaluation system, a common learning and development framework, and a broadly equivalent performance-management system. It is for that reason that the Northern Ireland Civil Service, with the agreement of successive Ministers of Finance and Personnel, has followed a policy of generally shadowing the broad framework of pay arrangements for senior civil servants in the Home Civil Service when developing its annual pay strategies.

Those arrangements are based on the recommendations in the annual reports of the SSRB, which operates totally independently from Government and makes recommendations on the remuneration of a range of senior public-sector employees. The Senior Salaries Review Body ensures a strong element of independence, objectivity and expert input to the determination of pay for the areas for which it is responsible, having taken evidence, and so on.

When the SSRB makes its recommendations, the Cabinet Office issues more detailed guidance to Departments on their application. It has been argued that those recommendations do not take into account any Northern Ireland-specific evidence. Officials in my Department have been working with the Office of Manpower Economics to explore the scope for a formalised relationship with the SSRB where Northern Ireland-specific evidence would be sought, and specific recommendations made, in respect of senior civil servants in the Northern Ireland Civil Service.

No pay system is without its strengths and weaknesses, and clearly there are elements of the Senior Civil Service pay system that need to be examined and updated. That



is one reason why I commissioned the independent review. In the development of the 2008 pay strategy, a small amount of the available bonus pot was used to make some effort to address one of the identified weaknesses of the system, namely poor pay progression at the lower end of pay band 1, which is the assistant secretary level. That had a small but positive impact on a recognised anomaly in the current pay structure.

In its annual reports, SSRB has highlighted the need to formally review the pay and rewards system to address emerging vulnerabilities. Reference has been made to the January 2009 report by Sir David Normington, the permanent secretary at the Home Office, on the review of the Senior Civil Service workforce and rewards strategy. My officials and I have spent some time analysing that report from a Northern Ireland perspective; that analysis has informed my decision to commission the review of the Senior Civil Service pay and bonus system in the Northern Ireland Civil Service. It is my intention that that should be an independent external review, with the Minister of Finance and Personnel as its main customer.

I am considering the draft terms of reference for that piece of work, which will be potentially complex. It is not possible to examine pay and bonus arrangements in isolation from consideration of roles, grading structure and performance management arrangements. The arrangements should, as the motion proposes, cover all grades in the Senior Civil Service, including that of permanent secretary. I believe that the review should be wide-ranging and should look at comparisons with pay and reward systems for similar jobs in the wider public and private sectors. It should also have regard to the changes to arrangements for Senior Civil Service pay now being considered in the rest of the UK as a consequence of Sir David Normington's review.

It should be noted that base pay increases in the wider public sector for 2008-09 were much greater than those in the Senior Civil Service. The base pay increase in the Housing Executive for the same period was 3.75% compared to 2.5% in the Senior Civil Service; 5.56% in the education and library boards; and 4.19% in the health and social care sector. It is clear that pay increases are an issue for the wider public sector as well as the Senior Civil Service. It is important that all those issues be examined.

I want the review to proceed as quickly as possible. It is likely to take some months to reach the reporting and subsequent implementation stages and for that reason, I am considering what arrangements should apply to the pay award for the Senior Civil Service that is now due in respect of the reporting period of April 2008 to March 2009. I intend to circulate the terms of reference for the review to ministerial colleagues and to the Committee for Finance and Personnel once I have considered them.

It would be wrong to pre-empt the outcome of the review. However, my expectation is that the decisions taken based on the outcome of the review, which has been widely welcomed, will provide for a Senior Civil Service pay and reward system that will be fair and transparent to the staff involved and to outside commentators. It will serve to address the anomalies that have been identified in the current pay and reward structure, and it will enable the Civil Service to recruit, retain and motivate suitably able and qualified people to exercise its various responsibilities at the most senior level.

**Mr Deputy Speaker:** As Question Time commences at 2.30 pm, I suggest that the House take its ease for a few moments. This debate will resume at 3.30 pm, when the next Member to be called to speak will be Mr Hamilton, who will make the winding-up speech.

*The debate stood suspended.*



2.30 pm

*(Mr Speaker in the Chair)*

## Oral Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Lisanelly, Omagh: Gifting of Lands

1. **Mr Buchanan** asked the First Minister and deputy First Minister for an update on the possible gifting of the Lisanelly lands, Omagh, to the Executive. (AQO 3053/09)

**The deputy First Minister (Mr M McGuinness):** Five Omagh schools are exploring the possibility of relocating to the former military site at Lisanelly, thereby creating a brand new, shared education campus for almost 3,000 children and young people. It would be the first of its kind and would feature state-of-the-art education facilities. The development of the project offers a unique opportunity to address some of the regional economic disparities and to help to transform a site of regional importance, with significant benefits for the rest of Omagh and the surrounding area.

We still await a decision from the British Government on the further gifting of former military sites, including the land at Lisanelly, Omagh. We will continue to press Shaun Woodward and Gordon Brown on the issue.

**Mr Buchanan:** As the Minister outlined, Lisanelly is key development land, and it will open up the potential for other such lands in and around Omagh to develop the area further. Each time questions are asked about Lisanelly, we are told that more work needs to be done in seeking to have the gifting of lands brought forward.

Will the Minister tell us when the lands will be gifted to the Executive so that they can make a decision on the development? That will give the people of Omagh confidence that not only will Lisanelly be opened up for development but that other potential sites will come on stream for development to further the expansion of Omagh town centre.

**The deputy First Minister:** We made our case very clearly and will continue to press Shaun Woodward and Gordon Brown because they have a responsibility to expedite the transfer of lands.

The Minister of Education recently established, and chaired the first meeting of, a local steering group that has been set up to deliver a shared education campus at

the former military site at Lisanelly. The group will oversee the next steps of the project, which will include the engagement of technical and architectural expertise to develop the detailed investigation and site work.

**Mr Kennedy:** In view of the lack of progress on the last gifted site of the Maze/Long Kesh, will the deputy First Minister provide an update, including a date by which we can expect to see real progress on the Maze/Long Kesh development, for the proposed relocation of the Royal Ulster Agricultural Society (RUAS), which has widespread support? Will there still be a proposal to include a conflict transformation centre, which has little or no support?

**The deputy First Minister:** In April, when the First Minister and I announced the establishment of a development corporation for the Maze/Long Kesh site, we made it clear that we see the site as being of regional significance and are committed to exploiting its potential in full. Although we are not progressing with the master plan in its original form, we are determined that the economic, historical and reconciliation potential of the site will be fully maximised. We will adopt the same approach with the other sites, and we intend to hold the British Government to their commitments on the issue.

I am aware of the RUAS's interest, and I met some of its members recently at a social event. The society is very determined and is seeking some 60 acres of the site for development. I understand the difficulties that people face, but we have taken a decisive approach, which is the establishment of a development corporation. The corporation will be responsible for ensuring that we maximise the economic, historical and reconciliation potential of this incredibly important site.

**Mr Doherty:** Go raibh maith agat, a Cheann Comhairle. In view of the development work, particularly on the exemplar design of the five, and possibly six, schools in Lisanelly, will the Minister, when he next meets the British Prime Minister again raise this issue and press him on not only gifting the site but when it will be gifted?

**The deputy First Minister:** The First Minister and I are to meet Gordon Brown tomorrow afternoon, and that will certainly be one of the items that we will raise with him.

#### Children's Action Plan

2. **Mr Brolly** asked the First Minister and the deputy First Minister what plans they have to bring forward a children's action plan that reflects each Department's response to the concluding observations of the United Nations Convention on the Rights of the Child. (AQO 3054/09)

**The deputy First Minister:** I will ask junior Minister Kelly to respond.

**The junior Minister (Office of the First Minister and deputy First Minister) (Mr G Kelly):** Go raibh maith agat, a Cheann Comhairle. The concluding observations of the United Nations Convention on the Rights of the Child cover a wide range of issues that affect children and young people. Junior Minister Donaldson and I met our ministerial counterparts from Scotland, England and Wales on June 15 and agreed to work together to produce a plan to address the common issues across the four Administrations.

The 10-year strategy for children and young people is rights-based, and the associated action plans will be the main vehicle for taking forward the concluding observations here. The second action plan, which will cover the period up to 2011, is with the Children's Commissioner for comment. We recently received the views of the Committee for the Office of the First Minister and deputy First Minister, which will be considered alongside those of the Children's Commissioner before seeking Executive approval.

The action plan, which addresses some of the concluding observations, will be a living document open to review and amendment. As part of the process, we will work with children and young people to seek their views about what more needs to be done in the context of the concluding observations. We will also work closely with Departments to consider what further actions are required and will soon write to Executive colleagues outlining our proposals for progressing the work.

**Mr Brolly:** Go raibh maith agat. I note the junior Minister's assurance that children and young people will be consulted. Can he give a commitment that that consultation will be on an ongoing basis?

**The junior Minister (Mr G Kelly):** Indeed I can. We are fully committed to engaging children and young people in that process and specifically want to seek their views on priority issues that they feel are not being addressed by the current action plan in the context of the concluding observations. We are, therefore, developing a young people's version of the action plan and concluding observations for use in focused workshops. The views put forward will then accumulate in a conference for young people in November.

It is intended that the conference will celebrate the twentieth anniversary of the United Nations Convention on the Rights of the Child and inform Departments of the key issues put forward by young people with a view to developing additional actions around them as required. We are working closely with key non-governmental organisations and the Participation Network and have sought the views of the Children's

Commissioner's youth panel in taking the process of engagement forward.

**Mr Shannon:** I thank the junior Minister for his very good response. At the same time, however, it is important that we gauge opinion from across the water in Scotland, Wales and England about how their policy works. The key factor for Northern Ireland is how each section of each Department will respond. Will each Minister play his or her part in ensuring that the children's strategy goes forward?

**The junior Minister (Mr G Kelly):** Absolutely. Junior Ministers have a co-ordinating role in this matter. Children and young people are affected by almost every Department, if not every Department. The ministerial subcommittee on children and young people was set up for precisely that purpose. Therefore, Departments will feed into the ministerial subcommittee. Since it is a ministerial subcommittee, it is attended by Ministers from the various Departments.

**Mrs M Bradley:** Will the junior Minister outline the timescale for the development of the action plan, and has it been discussed at the ministerial subcommittee on children and young people?

**The junior Minister (Mr G Kelly):** It has been discussed at the ministerial subcommittee. We hope to put it out for consultation before the end of the year, but I can write to the Member with more specific details, if that is ok.

**Mr Gardiner:** Child poverty is a big issue for Northern Ireland. Will the junior Minister say whether his Department's original targets to reduce child poverty by 50% by 2010 and to eradicate it by 2020 have been revised? If so, will he indicate what the new targets are?

**The junior Minister (Mr G Kelly):** The Executive are committed to tackling child poverty here, and that commitment is clearly outlined in the Programme for Government. I think that the Member refers to PSA 7, which includes commitments to work towards the elimination of child poverty in the North by 2020; reducing child poverty by 50% by 2010; and the elimination of severe child poverty by 2012.

In line with those commitments, the ministerial subcommittee on children and young people identified child poverty as one of its six key priorities. A cross-departmental subgroup, which is led by OFMDFM, was set up to take the priority forward. The group is initially focusing on the provision and delivery of accessible childcare here, given its link with child poverty. The subgroup has produced a paper that outlines a range of options. That paper was brought to the relevant Ministers for consideration at last week's single-agenda meeting of the ministerial subcommittee. At this time, I am not in a position to specify proposals

that may be taken forward, but I can assure the Member that work on the issue is ongoing and progressing.

An Executive subcommittee on poverty and social inclusion has also been established recently. Following its first two meetings, officials have been asked to undertake work with colleagues from other Departments to identify the key co-ordinating priority actions that are needed to benefit the groups who are in greatest objective need, including children. The work will be informed by the recommendations that arise from the Committee for the Office of the First Minister and deputy First Minister's report on child poverty and the promoting social inclusion working groups on lone parents and people with a disability.

Returning to the Member's initial question, we are looking at all the relevant issues. We set deliberately ambitious aims in the Programme for Government. It is better to aim to meet ambitious targets than to lower our sights.

### **Cohesion, Sharing and Integration Strategy**

3. **Mr I McCrea** asked the First Minister and deputy First Minister, in light of the recent racist and sectarian attacks, if they can assure the Assembly that they will prioritise the cohesion, sharing and integration strategy and agree it as soon as possible.

(AQO 3055/09)

**The deputy First Minister:** The First Minister and I are appalled by the deplorable racist attacks on Romanian families that took place in the south and east Belfast areas in the past two weeks and, indeed, other recent racist and sectarian attacks. Those attacks were unacceptable acts on men, women and young children who came here to build a new future for themselves. The incidents have done major damage to our reputation and to our efforts to build a shared and better future for everyone.

We have consistently stated that migrant workers are bringing very real benefits to our society and economy. We welcome and support those who have come to live and work here, and we utterly condemn hate crime and discrimination of any kind. It must be remembered that these are the actions of a few. Most people were appalled, and many acted to support the families who were targeted. In Belfast, local community representatives and a range of groups that we fund are working to prevent further attacks and to support the unfortunate victims.

We are fully committed to building a cohesive, shared and integrated society for all. We want to ensure that newcomers to our shores are welcomed into communities that are not divided, separate or unequal, and that we address the challenges that face new and host communities. We are on record as stating that we are

finalising proposals for a draft programme of cohesion, sharing and integration. That programme must, and will, tackle the challenges that face local communities. It will set a framework to tackle racism, sectarianism and other prejudices.

We hear the calls for us to conclude the preparation of our policy proposals, but a framework alone is not enough. All our efforts are required, and everyone in the House must stand to reject the behaviours and prejudices that underpin the recent attacks. We reassure communities, particularly the most vulnerable, that, while we liaise with the Assembly Committee, the work of challenging sectarianism, racism and all forms of intolerance continues with our active support.

**Mr I McCrea:** I find it somewhat hypocritical of Sinn Féin to make comments that oppose sectarianism, given that, for years, that party supported sectarian attacks on men and women in the border areas of Northern Ireland. Will the deputy First Minister provide the House with the reasons why he and his party have blocked and held up the tackling racism strategy for the past two years?

2.45 pm

**The deputy First Minister:** I believe that we all want the proposals to go well beyond being mere sound bites or well-intentioned platitudes.

OFMDFM has been preparing the ground to enable it to make significant recommendations for action in a number of key areas. For example, we are considering the findings of a short-term research project so that we can plan long-term youth work that will underpin the summer interventions that we continue to finance. Recently, we took receipt of an important report on peace walls in Belfast. We are examining how that fits with the ideas that we are considering on how to work with people in those divided communities so that relationships can be built, safety guaranteed, and shared spaces regenerated.

I intend to provide a draft strategy to the Committee before the summer recess. If that is not achievable, we will work through the summer to give the proposals to the Committee as soon as possible. That work may require a recall of the Committee. OFMDFM will continue its summer youth programmes and its work to tackle sectarianism and racism. We hope to announce shortly a major pilot programme to promote rights, dialogue and good relations in Derry.

I believe that attacks on ethnic minorities and sectarian attacks occur because the perpetrators believe that they are better than those whom they assault. Recognition that everyone is equal and entitled to be treated with equality is at the heart of dealing with the issue. If there has been a difficulty in agreeing the way forward on the cohesion, sharing and integration strategy, equality is at the heart of it. All Members in



the House — without exception — must agree that everyone must be treated with equality. However, some people find that difficult.

The recent terrible murder of Kevin McDaid in Coleraine happened specifically because some people in the town are sectarian bigots. They believe that they have the right to go into a street, murder someone and leave someone such as Damian Fleming within inches of losing his life. We must deal with the issue comprehensively by recognising the need for everyone to respect people on the basis of equality, which, as I said, goes to the heart of the matter.

**Mrs Long:** The line of questioning that has emerged from the attacks demonstrates how far we all have to travel, in the House and beyond, in our approach to such issues. I am happy to add my support to the deputy First Minister's condemnation of the racist attacks. Often, Members who asked related questions in the House were told that it is a matter of supporting local communities, and I concur with that. Will the deputy First Minister assure the House that the document will be ambitious and that it will tackle ingrained sectarianism and racism in the political system and in Departments? That would result in a proactive and productive, rather than responsive, approach to such issues.

**The deputy First Minister:** I agree that the document must be of the type that the Member described. She and I were among those who experienced the terrible after-effects of the attack on the Roma community. It was heartbreaking to see attacks on people who had honoured us by coming to our shores seeking to build new lives.

Similarly, over many centuries, many people who left the island of Ireland for the United States of America, Australia, Canada, New Zealand, and many other countries were treated despicably by the local communities. For us to repeat the mistakes of centuries ago is disgraceful.

As I held Fernanda, the baby who was born in Belfast, in my arms when she was five days old, I knew that her mother and father were about to take her away from her birthplace because of a despicable hate crime. I also met a young woman called Maria who came here a few months ago without a word of English. She is a lovely person who taught herself and her two children English. Maria was able to act as interpreter between us and the rest of the Roma community. That shows clearly how hard those people were trying to build new lives.

We need to face up to all the problems that are out there. All of us need to do more, and there is a particular responsibility on people to recognise that perhaps not enough was done by the system as a whole. It was very interesting to see that Assistant

Chief Constable Finlay effectively threw up his hands in relation to how he thought the police handled the situation. Effectively, they did not know what was happening in the Roma community. That accusation could also be levelled at us. We all have lessons to learn and, as we go forward, the type of document to which the Member referred needs to be very thorough and proactive in relation to facing down racism and sectarianism in our society.

Two weeks ago, the First Minister and I met the former President of India, who is recognised as being the most popular President of that country since the foundation of the Northern state. Over the weekend, I read his book 'Indomitable Spirit', in which he states:

"The basis of all systems, social or political, rests upon the goodness of men. No nation is great or good because parliament enacts this or that, but that its men are great and good."

He hits the nail on the head because we need to get the document right, and we need to pass laws and legislate, but we also need to recognise that although the vast majority of our people are very angry about sectarian attacks and sectarianism, and about racist attacks and racism, the fact is that there are an awful lot of racists and sectarian bigots in our society. What is required is for society as a whole, supported by the police and the political process, to bear down on those people and make it absolutely clear that that type of activity will not be tolerated.

**Mrs Hanna:** We all agree that the plan must be very strong and that it must be converted into action. I ask the deputy First Minister whether the flying of flags, which is another contentious issue, will be addressed in the long-awaited strategy.

**The deputy First Minister:** During the course of almost every meeting of the Executive, we are given a report by the Health Minister about the outbreak of swine flu. At a certain time of the year in the North, I think that we have flag flu. In many parts of the North, for weeks on end, leading up to the Twelfth of July, it is obvious that a massive effort is made to plaster flags everywhere. I think that the people who do that — *[Interruption.]*

**Mr Speaker:** Order.

**The deputy First Minister:** The people who do that show their insecurity. We need to recognise that everybody has a responsibility to contribute in a positive and constructive way towards the lessening of tension. That applies as much to everyone in the community from which I come as it does to everybody else. A lot of over-the-top stuff is going on, and people need to recognise that it would be a useful contribution to good community relations if they were to tone things down just a little bit.



## SIB/Invest NI: Staff Expertise

4. **Mr Savage** asked the First Minister and deputy First Minister the number and percentage of senior operational staff in the Strategic Investment Board and Invest NI who have a business background, as opposed to a public-sector background. (AQO 3056/09)

**The deputy First Minister:** Information relating to Invest NI is a matter for the Minister of Enterprise, Trade and Investment, so I will answer the question as it relates to the Strategic Investment Board (SIB).

Nineteen of SIB's 24 senior operational staff, which is 79% of the total, have a private-sector background. The remaining five have a public-sector background. The Strategic Investment Board plays an important strategic role in supporting Departments with the progression of the Executive's objectives for infrastructure investment. It employs staff with the wide range of skills and experience that are required to do that.

All positions are filled after rigorous open competitions, which ensure that appointments are made solely on merit. The Strategic Investment Board encourages applications from all qualified individuals, regardless of the sectors in which they have previously worked. Over the past year, the board has played a very important role in helping Departments to achieve a record level of capital investment, the results of which are becoming increasingly visible to the public. For example, the construction of the new further education campus for Belfast Metropolitan College in the Titanic Quarter is under way, and the construction of the new £270 million acute hospital outside Enniskillen has commenced.

In the past year, more than 40% of construction work here has been public-sector related, and more than 90% of Government procurement contracts have been secured locally, mainly by small and medium-sized enterprises. The Strategic Investment Board has played an important part in securing that outcome.

**Mr Savage:** Will the Minister explain why so many people with accountancy, quango and finance backgrounds are members of Invest NI and the SIB? Does he agree that we must have a culture change in, and a rationalisation of, those bodies, with a view to enlisting members who have a vision for the twenty-first century?

**The deputy First Minister:** The SIB provides support to Departments on projects across a wide range of sectors, including health education, roads, schools, further education colleges, regeneration and other major schemes.

In order to provide such support effectively, the SIB's staff must have the relevant skills. The SIB's policy is to recruit the skills that it needs on the basis of merit and, of course, fairness and openness. Many, but by no means all, of its members come from a

private-sector background. The starting salaries of new recruits to the SIB are decided individually and take account of earnings in the person's previous job.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. Does the Minister know whether it is intended to include the salaries of SIB personnel in the proposed review of senior civil servants' pay?

**The deputy First Minister:** The review of the current pay and reward arrangements for senior civil servants that was recently announced by the Minister of Finance and Personnel will focus only on the pay and bonuses of senior civil servants in the Civil Service, for which the Department of Finance and Personnel has management responsibility. It is not a review of wider public-sector pay, which would be a much more extensive and complex exercise that would have to be agreed and taken forward by the relevant Ministers and sponsoring Departments. Therefore, that review cannot be read across directly to the SIB.

Under previously agreed arrangements, the SIB receives the same annual cost-of-living increase that underlies the settlement for the Senior Civil Service. Therefore, the SIB's pay for 2009-2010 cannot be finalised until that cost-of-living increase is determined.

## Victims Funding

5. **Mr Storey** asked the First Minister and deputy First Minister to outline the funding allocated to victims in 2008/09. (AQO 3057/09)

**The deputy First Minister:** In 2008-09, a little more than £8.7 million was allocated for work in the victims and survivors sector. That was an increase of £3.2 million on the previous year. More than £5.1 million was allocated to groups and organisations through the core funding scheme, the development grant scheme and the interim capacity funding arrangements, which we introduced to enable a smooth transition between the Peace II and Peace III support packages.

Individual victims benefited from more than £2 million, which was delivered through various schemes operated by the Memorial Fund. Approximately £760,000 was allocated for the work of the Commission for Victims and Survivors, and about £340,000 was made available for the work of trauma advisory panels in each of the former health board areas, along with the Sperrin Lakeland victims programme.

The remaining funding of approximately £560,000 was made available for, among other things, a number of projects to deliver such things as training for counsellors and alternatives to violence for young men from disadvantaged communities that were directly affected by the conflict.

In addition, more than £750,000 was distributed directly to individual victims and their families during March 2009 to alleviate hardship and to provide help where and when it was most needed.

**Mr Storey:** Unfortunately, no amount of money will ever undo the damage done to innocent victims in Northern Ireland as a result of the terrorist campaign carried out by illegal organisations in the past.

The deputy First Minister will be aware of the recent court ruling in the civil case brought by the Omagh families. In his opinion, is it now time for him, as deputy First Minister, to encourage the families of Bloody Friday and La Mon, or indeed the families of Patsy Gillespie or Frank Hegarty, to pursue a similar course of action? That would ensure that the evil perpetrators of the dastardly terrorist deeds carried out on them are brought to justice before the courts, where they rightfully belong, and that we have no more of the sound bites that the deputy First Minister tried to palm us all off with earlier.

3.00 pm

**Mr Speaker:** We need to be careful. The Member is asking the deputy First Minister for an opinion, so it is up to him to decide whether he wishes to answer.

**The deputy First Minister:** The Omagh bombing was a terrible tragedy, and the court's judgement will be welcomed by the Omagh families and the wider community. The way in which the families now choose to pursue the case is a matter for them. It is interesting that, in contributions such as the one that we have just heard, no one ever mentions Bloody Sunday, Loughinisland etc.

## ENVIRONMENT

### Wind Turbines/Wind Farms

1. **Mr Doherty** asked the Minister of the Environment the average timescale for processing planning applications for wind turbines and wind farms. (AQO 3066/09)

**The Minister of the Environment (Mr S Wilson):** From 1 April 2008 to 31 March 2009, the average timescale for processing a planning application for a wind turbine was 77 days. The average time to process a planning application for a wind farm between those dates was 645 days. The longer timescale reflects the complexity of wind-farm proposals, which involve major applications that, most significantly, must be accompanied by environmental statements.

**Mr Doherty:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline what Government

assistance is available for carrying out such work, and how that assistance is advertised?

**The Minister of the Environment:** Government assistance for wind farms falls under the remit of the Department of Enterprise, Trade and Investment, and, therefore, it is not my Department's responsibility. With respect to the help that applicants receive with the work that is required for a planning application, we offer pre-application discussions. Especially in the case of wind farms, we encourage applicants to engage in those. Those discussions should outline for applicants the kinds of issues that are likely to arise with their application and the sort of information that they will be expected to provide when submitting it, and should make processing the application that bit easier. Therefore, the Planning Service does provide support to applicants to get applications in.

In addition, Northern Ireland Environment Agency (NIEA) officers assist with the environmental statement process, which sometimes drags on because of the extra information that is required. For example, impacts on bird life require some study and quite a lot of additional information to be supplied by the applicant.

**Mr Weir:** Is the Minister aware of any other issues that are adversely affecting the average timescale for processing planning applications?

**The Minister of the Environment:** I am fearful that the resources that will be available to the Planning Service will affect the time taken to process not only wind turbine and wind farm applications but planning applications generally. Of course, planning applications cannot be processed without planning officers. Therefore, I am disappointed that the Environment Committee, members of which, by the way, badger me all the time to ensure that planning applications are processed, has decided not to process the application to increase planning fees, which is necessary to provide enough resources for the Planning Service to process applications.

I notice that the Chairperson of the Committee is not in his place, which is not unusual. I do not think that it is very helpful when the Chairman of the Committee for the Environment brings along officials and, because they happen to be officials and female, thinks that he can bully them when they come to give submissions and evidence to his Committee. It would be much better if the Chairman of the Committee were more attentive to trying to get the issue dealt with rather than simply doing a bit of grandstanding in his final session before his party sacks him from his position.

**Mr Kinahan:** I am sure that the Minister agrees that there is an increasing urgency for more renewable energy production due to climate change and that we

should be encouraging wind energy in principle. Will the Planning Service identify areas suitable for wind farms and for marine turbines, and will those sites be chosen with great sensitivity?

**The Minister of the Environment:** There is a number of points in the Member's question. Yes; application sites will be chosen with great sensitivity. Indeed, I received a delegation from the Member's constituency that was concerned about wind farm applications and their impact on their lives and livelihoods and on the amenity of their homes. That is why planning policy statement (PPS) 18 requires that stringent rules be followed on where wind farms can be sited. However, the policy on renewable energy in Northern Ireland is generous and, indeed, as a result of current policies we have met our obligations to 2012 already.

Renewable energy, especially wind energy, is not a panacea for the energy requirements of Northern Ireland or the United Kingdom, and some of the targets will be costly. Figures given by the proponents of wind energy suggest that to generate one gigawatt of electricity from a wind turbine costs about £3.1 billion. That is about seven times more expensive than nuclear power and is, of course, paid for by individual consumers. Therefore, it is not a panacea. Nevertheless, we want to have a mix of energy provision in Northern Ireland so that we are not dependent totally on one kind of fuel.

**Dr Farry:** Can the Minister give us the comparable figures from other jurisdictions regarding the turnaround times for planning applications? Has he made any amendments to the supplementary guidance to PPS 18 to take into account the comments from the wind industry, in particular regarding subjective elements in the guidance in respect of impact on the landscape?

**The Minister of the Environment:** I do not have information from other jurisdictions, although I know that there are the same concerns in other parts of the United Kingdom. That is a reason why in the Planning Act 2008 the Government decided to take many wind farm applications out of the planning decisions made by councils and called in by the Secretary of State and restricted the opportunity for people to make objections, as the Government were concerned about the length of time that some applications were taking. I do not have any specific times on how long applications take.

There has been discussion with the wind-energy lobby about elements of PPS 18 and, in particular, the supplementary planning guidance that I think the Member is referring to. I still believe that the supplementary planning guidance gives some protection, along the lines that the Member for South Antrim Mr Kinahan suggested, in ensuring that sensitive sites are protected. Inevitably that will mean — I take the Member's point — a subjective decision sometimes on whether sites

are so sensitive that applications should not be allowed on them. I do not think that we can escape that. Some wind turbines are now as big as Blackpool Tower because that is what is needed to generate electricity efficiently. We cannot escape the effect that they have on the landscape and, of course, that will be a subjective matter. A windmill that is considered a thing of beauty by one man may be considered an ugly carbuncle on the landscape by another man.

## Review of Public Administration: New Councils

2. **Mr P J Bradley** asked the Minister of the Environment to outline the work that he expects the transition committees to complete prior to the formation of the new councils under the review of public administration. (AQO 3067/09)

**The Minister of the Environment:** Transition committees' primary role is to make the decisions that are necessary to ensure that 11 effective councils are in place by May 2011. The Department has issued guidance on the vital work that I expect transition committees to undertake. That work will include the development and management of convergence plans; the development of strategies for estates and accommodation; and the managing of the transfer of assets and liabilities.

Under existing legislation, transition committees have a voluntary status as joint committees, but provisions to establish statutory transition committees are included in the Local Government (Miscellaneous Provisions) Bill, which was introduced in the Assembly on 22 June 2009. On enactment of that legislation, statutory transition committees will undertake the appointment of the chief executive designate and senior staff; the preparation of the budget; and the establishment of the rate for the new council.

**Mr P J Bradley:** I thank the Minister for his answer. Does he recognise that there is widespread concern that councillors who will retire before 2011 will be appointed to transition committees?

**The Minister of the Environment:** Implicit in the Member's question is that the committees will be extremely important bodies, which will have important work to do. It is up to political parties to decide who is suitable to represent them on transition committees. I am not all that worried about the appointment to transition committees of councillors who may retire in 2011, because some of those people will have the most experience and the expertise to make the important decisions that will have to be made.

However, parties must ask themselves a few questions before they appoint individuals to a transition committee. First, they must consider whether the individuals bring to the job the skills that are required to carry out the



important task; secondly, they will have to make a judgement call on whether there is value in having continuity of membership from transition committees to the new councils; and, thirdly, if they decide to have continuity of membership, they will have to consider whether they are excluding others who may have more of a contribution to make and who have more of a stake in ensuring that the right decisions are made. However, that is not my responsibility, and it cannot be written into legislation; it is an issue on which parties must make a judgement.

**Mr Ross:** Can the Minister advise the House on the direction that his Department has given on how the membership of transition committees will be constituted when they become statutory bodies?

**The Minister of the Environment:** The legislation will include some information and guidance on how the committees should be constituted. We are saying that the d'Hondt system should be used, with the single transferable vote. Many committees are constituted in that way already, but it may be that those committees that have not used the method will have to, because it will be laid in statute.

In my time as Minister of the Environment, I have had meetings with members of every party in the Assembly. I want to make it clear to Members that transition committees will have important work to do. Furthermore, they must reflect the composition of parties that are in the councils that are going to converge, because there must be confidence in the important decisions that they will make. For that reason, I have opted to put in the Local Government (Miscellaneous Provisions) Bill the method by which the committees will be constituted. If they have not been constituted on those grounds, they will have to be reconstituted when the legislation is enacted.

**Mr McCallister:** Given the significant powers and responsibilities of the transition committees, can the Minister guarantee that MLAs will not be triple-jobbing in the role and that they will not be receiving money from the public purse for their third or, perhaps, fourth job?

3.15 pm

**The Minister of the Environment:** As I said earlier, the decision as to who is appointed to the transition committees is the responsibility of each of the parties. Indeed, I think that there are Members from Mr McCallister's party who are on those transition committees and who are receiving money for their second, third or fourth jobs. Therefore, rather than direct his question at me, perhaps he should talk to own party leadership so that his fear of triple- or quadruple-jobbing can be addressed. Ultimately, however, that is the responsibility of his party.

## Climate Change

3. **Ms S Ramsey** asked the Minister of the Environment what steps his Department has taken to combat climate change; and how this compares with steps taken by the Scottish government.

(AQO 3068/09)

**The Minister of the Environment:** Combating climate change is a collective responsibility of all the Ministers in the Northern Ireland Executive, and I can speak only about how my Department contributes to the Programme for Government targets on climate change. My Department has carried out work on the EU emissions trading scheme, the activities that flow from the Climate Change Act 2008, the carbon reduction commitment, and, as was mentioned earlier, the local Planning Policy Statement 18, which deals with renewables.

The Member's question refers to the Scottish Government's efforts to combat climate change. That is an issue for the Scottish Parliament and the people of Scotland. However, having read some of the latest decisions that the Scottish Government have made, I think that the implementation of some of those measures, including that to reduce transport emissions to nothing — which, in itself, is meaningless, given that they will be using electric cars, and electricity comes from sources that produce carbon — is going to be fairly costly.

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. I appreciate the Minister's response. I agree that climate change is the collective responsibility of all Ministers in the Executive. However, I think that the Environment Minister should take the lead in the area.

My question indeed related to the issues arising from the Scottish Government's attempts to combat climate change, and I am glad to see that the Minister is now advising that Government on the matter. However, we have the potential to become one of the leaders in renewable energy. Does the Minister envisage that happening this week or next week, or does he envisage the new Environment Minister making inroads into that area?

**The Minister of the Environment:** The Member's question demonstrates the absolute naivety that exists on the issue of renewables. She asked whether I see us becoming leaders on renewable energy this week or next, so perhaps I should give her some facts. Even if the UK were to generate 25% of its electricity from renewable energy sources, that would require the building of six windmills the size of Blackpool Tower each day, because many of those windmills will have to be built at sea, and that could take place for only four months each year. That target has not been met anywhere in the world.



Is the Member asking whether I can solve the renewable energy obligations and requirements between now and when I leave my post sometime this week? Even if my successor in 2025 were able to do that, it would mean the industry working day and night and having to up its game by 700%, and we would still be left with a source of energy that is seven times more expensive than the current sources. Given that one of the Member's party colleagues from Foyle has been complaining recently about fuel poverty, I wonder how realistic it is to meet that obligation, to meet it in that particular timescale, and to meet it without putting 170,000 families into fuel poverty, as the Minister for Social Development said.

**Mr Shannon:** Minister, I thought that you were going to break into the song 'In the Year 2525', which was a 1960s hit that some of us will remember.

Can the Minister tell us why Northern Ireland has not implemented a carbon budget like the rest of the United Kingdom?

**The Minister of the Environment:** The Assembly made a decision, through a legislative consent motion, simply to tag on to the United Kingdom Climate Change Act 2008, which requires us to play our part in reducing emissions by, I think, 25% by the year 2020, or whatever. Therefore, that Act already places obligations on us. I must emphasise that even that target is extremely exacting and that meeting it will be costly. Carbon budgets would then require individual sectors of the economy to reduce their carbon output by certain percentages. The difficulty is that a declining sector might find it very easy to meet its carbon budget, while an expanding sector might find it very difficult. The phrase "Let us set carbon budgets" trips off the tongue very easily, but it does not reflect the reality of a dynamic economy in which some industries will need more fuel and others will need less.

Of course, household fuel consumption and, therefore, the resulting carbon produced will depend on the vagaries of the weather. For example, as this winter past was very cold, I have no doubt that carbon output went through the roof. However, in a mild winter, output might be less. Thus, setting carbon budgets introduces a degree of inflexibility into an economy that we want to be as dynamic as possible.

**Mr Beggs:** As a member of the Committee for the Environment, I recently visited several Westminster Departments and Committees as part of the Committee's inquiry into climate change. Is the Minister aware of Treasury plans to financially penalise Departments that fail to meet climate change reduction targets? Will he assure the Assembly that he, whether in his role as Minister of the Environment or the Minister of Finance and Personnel, will curtail his eccentric views on

climate change so that the Northern Ireland Assembly will not be financially hit in the future?

**The Minister of the Environment:** I hope that the Member walked to those Committee meetings in Westminster, otherwise he will have contributed to carbon output. Financial penalties may well be imposed as a result of his frequent trips to Westminster. Before he starts worrying about financial penalties that might be imposed by the Westminster Government, he should think of his own behaviour and ask whether it was necessary to fly to Westminster to visit those Committees. Would it not have been just as easy to read the minutes or the Hansard report of those meetings, thereby reducing his own carbon footprint? If you are going to reduce carbon, let it start at home. Sorry, I meant to say "If the Member is going to reduce carbon". Mr Speaker, I know that you are doing that job splendidly. If the Member is going to reduce carbon, let that practice start at home.

As far as financial penalties are concerned, the target set for Northern Ireland is exacting. Incidentally, that probably falls more heavily within the remit of other Departments than mine. As the Member will, of course, know, the industry in which he as a farmer engages is responsible for 20% of Northern Ireland's carbon emissions.

I am sure that the farmers of east Antrim will love to hear that the Member wants fewer sheep and cows reared and less milk produced as part of the programme. When it comes to financial penalties, Members should bear in mind the fact that various activities essential to our economy will produce carbon.

## Climate Change

4. **Ms Anderson** asked the Minister of the Environment for his assessment of the advice provided on climate change by his departmental officials. (AQO 3069/09)

**The Minister of the Environment:** I am content with the advice provided on climate change by my departmental officials.

**Ms Anderson:** I thank the Minister for that very brief remark; I would not call it an answer. Does the Minister accept that, in the court of public opinion, there is a conflict of interest between his being a Minister and also being in charge of the body of which he is a member? For instance, as a member of that body — a councillor — if he were to lobby the Minister — himself — on an issue, would he lobby himself? How does he, as a councillor, decide that he will lobby himself? There seems to be a wee bit of political schizophrenia. Can the Minister explain to the public how he does that?

**The Minister of the Environment:** When it comes to political schizophrenia, the party across the way is much better placed to comment on how a person can face two, three or four ways at once than I would ever be. Although the Member refers to conflicts of interest in my role as Minister, she could not cite one example. The best way for her to illustrate her point would have been to point out a situation where I had one role to play as Minister and another as a councillor.

Being a member of Belfast City Council does not, necessarily, put me in conflict with my Department. Indeed, many of the decisions of Belfast City Council reflect the objectives of my Department.

The Member is chattering from a sedentary position about the energy-from-waste plant. The question that Belfast City Council had to address on the energy-from-waste plant was totally in keeping with the views of my Department. My Department wanted an energy-from-waste facility, and when Belfast City Council debated the issue, I reflected that position. There was no conflict of interest. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Dallat:** Given that a wind of change is sweeping through the Chamber, will the Minister, as a parting shot, give us his assessment of the advice that he has been given by his departmental officials on climate change?

**The Minister of the Environment:** As the Member knows, officials advise and Ministers decide.

**Some Members:** Hear, hear.

**The Minister of the Environment:** I listen to the advice that I am given, and I weigh it up with all the other information that I have available; sometimes I come to the same conclusion as my officials, and sometimes I come to a different one. Of course, ultimately, as with all Ministers, the decision rests with me. I notice what Members said on climate change. Nevertheless, when I look at the advice that comes from the Department, I also look at all the other information available. Officials make a range of views known to me when they give me submissions, and it is my job to weigh up the information and reach a conclusion.

**Mr T Clarke:** I looked at the question and wondered what the Minister's response would be to it. In light of that response, I have had to change my question and ask the Minister what the original question had to do with climate change.

**The Minister of the Environment:** Probably the same as most supplementary questions: nothing to do with the original question.

That is the nature of what happens in the Assembly. I am quite happy to answer the questions that people ask as honestly as possible.

3.30 pm

## ASSEMBLY BUSINESS

**Mr Attwood:** On a point of order, Mr Speaker. On a number of occasions I have raised in the Chamber the issue of the way in which Ministers reply to debates and answer the questions that are put to them, and the length of time that they take to do so. Last week, the new Speaker of the House of Commons commented on the obligations of Ministers when replying. On 24 June, he said that:

"I hope that Ministers' replies will be kept to a reasonable length."

Will you, Mr Speaker, reflect on the length of time that Ministers take when giving replies? Without prejudice to the importance of issues, Ministers today regularly took two, or two and a half, minutes, and, on one occasion, three and a half minutes, when replying to a question from a Member. In my view that is not a reasonable length. I urge you, in order to facilitate good conduct and good practice during Question Time, to follow the advice of the Speaker in Westminster.

**Mr Speaker:** I have heard what the Member has said. I have been very focused on that issue for some time, and hope to be in contact fairly soon with the First Minister and deputy First Minister and the Executive on the issue. As you know, a number of changes were made to Standing Orders, and the Committee on Procedures considered a number of these issues. I was waiting until those deliberations were over; now that they are over, I may have an opportunity to see what input I can have into Question Time. I have already made some changes to Question Time and intend to consider further changes.

However, the Member has raised a number of points of order on a number of occasions, and I have continually told him that I would rather that those points of order were raised outside the Chamber. The Member, or other Members, can come and speak to me about these issues outside the Chamber, but, as of yet, the Member has refused to take up my offer of doing so. *[Interruption.]*

Order. On all of the issues that you have raised, I have asked you continually to please come and talk to me outside the Chamber. I assure you that you will have a listening ear. I operate an open-door policy on such issues. Once again, I invite the Member to talk to me outside the Chamber, rather than raising these issues on the Floor of the Chamber.

**Mr Attwood:** Further to that point of order, Mr Speaker. It is entirely appropriate for a Member to choose the method by which they raise points of order. In fact, it is a convention —

**Mr Speaker:** Order. I am going to move on. When a Member raises an issue here on a number of occasions, I think that, if he really wants that issue settled, he should meet me outside the Chamber. Once again, I repeat my invitation to the Member to come and talk to me about that issue, or any other issue that the Member may have in mind.

**Mr Attwood:** Further to that point of order, Mr Speaker. I may reflect on your advice, but I should point out that, on each and every occasion when I have raised issues concerning how business is conducted in the Chamber, until last week, you declined to be on the same side of the argument as me. It appears that, in the last week, both on this issue and an issue that I raised previously, you are now on the right side of the argument.

**Mr Speaker:** Order. I say to the Member that I have given him some latitude on some of those issues. The Members in the House will find that I have enormous patience, but there comes a point when that patience runs out. At this moment in time, my patience with Mr Attwood has run out. On several occasions, the Member has come very close to challenging the authority of the Chair, and I have still given him some latitude. If the Member is deeply concerned about some of the issues that he raises in the Chamber, he should come and speak to me outside the Chamber rather than raising them in the House.

Once again, for perhaps the fourth or fifth occasion, I throw out that invitation to the Member. I shall leave it there and move on.

## COMMITTEE BUSINESS

### Senior Civil Service Pay and Bonuses

#### *Debate resumed on motion:*

That this Assembly expresses concern at the current arrangements for awarding pay and bonuses to senior civil servants in the NICS, in the context of the Executive's focus on public sector performance and efficiency; welcomes the decision by the Minister of Finance and Personnel to commission a local and independent review of the pay arrangements for the senior civil servants in the NICS; and calls on the Minister of Finance and Personnel to ensure that the review is comprehensive, in that it includes the grades at pay band 1 (assistant secretary), pay band 2 (deputy secretary), pay band 3 (permanent secretary) and head of Civil Service, and that it assesses the effectiveness, efficiency and appropriateness of the pay arrangements, having regard to the local economic conditions, and recommends reforms as necessary. — [*The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin).*]

**The Deputy Chairperson of the Committee for Finance and Personnel (Mr Hamilton):** In what may be one of my last public acts as Deputy Chairperson of the Committee for Finance and Personnel, I thank the Members who spoke in the debate and the Minister of Finance and Personnel, who responded to the debate. It was a useful and focused debate, and some good contributions were made on an important area of public policy, which concerns not only the small number of senior civil servants who were the focus of the debate but has implications for wider public service delivery.

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

Rather than rehearsing all the contributions, I shall touch on, and draw out, the main themes that emerged during the debate. Many of the issues that were raised showed commonality among Members. Sometimes, the focus in such a debate can be on suspected bad performance, and one Member spoke about that. However, many Members acknowledged the good performance in the Senior Civil Service and across the Civil Service. I have been impressed by the great skill and capability of the Civil Service. From the outside, it is all too easy to blame everything on civil servants, but, from working closely with them, I have seen that there are many skilled people who are deeply committed to, and passionate about, their jobs.

Good performance takes place, sometimes in the most trying circumstances, and that must be acknowledged not only by a pat on the back but with a reward. Declan O'Loan and Peter Weir made some useful comments about the proportionality of such rewards. There is, rightly, a large measure of public concern about senior civil servants' pay and bonuses when the bald figure of the £1.2 million that was paid in bonuses is presented. The salaries of senior civil servants are high when compared with the national average, but, as Mr O'Loan said, they are not that high in comparison with the private sector and some elements of the public sector.



The figure of £1.2 million is high when one considers that a small number of people receive it, but it is not a massive amount in the overall context of the Northern Ireland Budget. Many Departments, agencies and Ministers would like to have an additional £1.2 million to spend, but it must be put into proportion. That proportionality allows us to resist the populism to which Mr Weir referred; one can sometimes take a knee-jerk reaction to the issue.

Good work and performances must be rewarded, and consideration must be given to whether the current structure of pay and bonuses for senior civil servants is appropriate. Members raised many reasons to show why there are serious question marks about the appropriateness of the current system. Several Members said that the system provides no motivation and that, at times, it demotivates. The Committee received evidence from union representatives about the divisiveness that the arrangement causes, and senior departmental officials said that the system demotivates people who do not receive a bonus.

Mention was made of the equal pay claim and junior civil servants feeling that they are not being paid equally for equal work. Senior civil servants receive sizeable bonuses every year, which has led to a culture of expectation. It is not only that they receive a bonus but that they expect to receive a bonus. When 75% of senior civil servants receive a bonus, it is not necessarily a bonus for a job well done but is something that they expect to receive.

Members raised the issue that many senior civil servants here are on what is effectively the Whitehall system, while low-level and mid-level civil servants are not on that system.

Low- and middle-ranking civil servants are paid according to a local arrangement. If they are subject to that arrangement, why should senior civil servants not be subject to the same arrangement in order to account for local flavour and needs at that high level? Is there protection for high-ranking civil servants and a more carefree attitude taken to lower-ranking staff?

Although several Members discussed the issue, Dr Farry dwelled for a considerable time on the public-sector pay premium and on the possibility that it distorts the labour market. That is an important issue. Varney suggests that in the Northern Ireland Civil Service as a whole, there is a 22% difference; whereas in the UK, public-sector pay is 8% below that of the private sector. If that crowding out is going on, we must acknowledge it as a problem. The Assembly is trying to grow Northern Ireland's private sector from a recognised low base. The Civil Service bonus scheme may not assist in the achievement of that noble aim.

Attention was also given to whether the system as it is currently structured is focused on the right performance.

Members talked about good performance, which, I am sure, we all consider to be the delivery of big projects on time or the achievement of a difficult departmental objective. During the past couple of years, the Committee has dwelt considerably on matters such as departmental underspend and overspend, although that rarely happens. It has focused on Departments' financial management, which does not seem to be measured under the current regime.

The Committee has also taken a keen and active interest in the high levels of staff sickness in the Northern Ireland Civil Service (NICS). As elected representatives, we take a great interest in that on the public's behalf; however, it does not seem to be managed in the system. At one level, it could be argued that if bonuses were measured against different performance criteria, the system may not be under the same scrutiny.

Mr O'Loan suggested extending the review to other public bodies. He has a point with regard to scrutiny of the pay and bonus system of non-departmental public bodies, quangos, arm's-length bodies, and so on, and although the point is a valid one, it is probably best taken forward by another review.

Mr McNarry criticised the system. He said that when bonuses are awarded, no consideration is given to important issues such as job security and pensions, and I hope that the review will focus on that. He mentioned the First Division Association. That title is so 1980s. Perhaps, it should be renamed the "Premier League Association" or, at the very least, the "Coca-Cola Championship Association". When it makes its arguments in favour of the current system, the Assembly and, hopefully, the review must concentrate on issues such as job security and pensions.

I welcome the review's creation; it is long overdue, and the Minister is to be praised for it. The subject is complex and involves a range of interrelated issues, requiring careful, objective and methodical assessment. That can be progressed effectively only through a completely independent review that comprises experts in the field. I welcome the Minister's work in that respect. I am sure that the review panel will work to establish an evidence-based approach that is open and transparent on which to base its recommendations. I trust that the debate will assist the Minister and the panel in meeting that objective.

The Committee will look forward to being consulted fully on the review's terms of reference and on working with and assisting it at appropriate stages throughout its work.

*Question put and agreed to.*

*Resolved:*

That this Assembly expresses concern at the current arrangements for awarding pay and bonuses to senior civil servants in the NICS, in the context of the Executive's focus on public sector performance



and efficiency; welcomes the decision by the Minister of Finance and Personnel to commission a local and independent review of the pay arrangements for the senior civil servants in the NICS; and calls on the Minister of Finance and Personnel to ensure that the review is comprehensive, in that it includes the grades at pay band 1 (assistant secretary), pay band 2 (deputy secretary), pay band 3 (permanent secretary) and head of Civil Service, and that it assesses the effectiveness, efficiency and appropriateness of the pay arrangements, having regard to the local economic conditions, and recommends reforms as necessary.

## PRIVATE MEMBERS' BUSINESS

### Racist and Sectarian Attacks

**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 in which to make a 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 will have 10 minutes to propose and five minutes in which to make a winding-up speech.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle.

I beg to move

That this Assembly condemns unreservedly all racist and sectarian attacks; calls for the rights and entitlements of ethnic minorities and other vulnerable communities to be protected; commends all those voluntary and statutory agencies which assisted in the recent upheaval inflicted upon members of the Roma community in Belfast; and calls on all Departments to respond appropriately and on all political leaders to display leadership and unity of purpose in tackling all manifestations of hate crime.

From the outset, I state that my party accepts unreservedly and embraces the Alliance Party amendment. It is a most appropriate amendment, and we, as the party that nominated the deputy First Minister to his role, are keen that the Executive bring forward a strategy on cohesion, sharing and integration. They are important concepts that must be translated into policies and strategies.

3.45 pm

Although my party accepts the amendment unreservedly, it is important to restate what a number of Members have said recently. It is critical that we devise such a strategy and implement it as soon as we can, and, in fact, a lot of work on that area is done in each Department. However, as adults and as political representatives of all the parties in the Chamber, we do not suggest in any way that a strategy is needed to ensure that civic leaders and political representatives should behave in any manner other than with courtesy and absolute respect for everyone. I do not suggest for one second that people need a strategy to learn how to behave. We can say the same about some agencies and Departments, but we need to map out such strategies for some wider elements of our society, because there is a bottom line in showing respect for others.

My party argues that such a strategy must be implemented and grounded in the principle of equality. If we do not have equality for all our citizens, there is no point in talking about respecting others. That would be an empty cliché. If, as we have been doing, we

enshrine equality in the Programme for Government and other areas of legislation, equality becomes the premise on which we treat everyone. That means that we have to carry out certain actions and implement particular policies to make sure that people are brought to a certain level of equality. Therefore, it is important that I say that at the outset. For us, equality is rooted in the equality of rights and entitlements, it is about respect for difference, and it welcomes and embraces diversity as the principle upon which society moves forward.

In the past number of weeks, there is no doubt that our society has once again been disgraced and scandalised, and it is unfortunate that that is with good reason. There is no question or doubt in our minds that the images of families having to gather their belongings, be bussed into church halls, spread mattresses and makeshift mattresses in community halls in order to get a roof over their heads and some type of protection are nothing short of an absolute disgrace.

We should not forget either that just a few weeks ago Kevin McDaid was beaten to death in Coleraine in a brutal sectarian assault. In fact, a number of other people were injured on that occasion, and similar incidents have occurred. I appreciate that people are in court as a result of the events of that day in Coleraine, so I do not want to labour the point. However, I must say that in recent months, when people were sentenced for the sectarian murder of Michael McIlveen in Ballymena, many said that that was perhaps a wake-up call and hoped that there would be no more brutal and barbarous killings. Unfortunately, we had the death of Kevin McDaid.

In the aftermath of the killing of Kevin McDaid, people who comment on such matters, including those in the media, speculated on who might have been involved, the purpose of the killing and why it happened. Some of the remarks, commentaries and observations made in the media and through public discourse were shameful and sought, in my view, to either justify or minimise and explain away what happened on the day on which Mr McDaid was brutally killed. That is in contrast to how they responded to the treatment of the Roma families and suggests that an awful lot of people in this society find it much easier and are more comfortable to deal with the issue of racism than the issue of sectarianism. Sectarianism is the elephant in the room. I am struck by the fact that many people in our communities are able to tackle the issue of racism much easier and more comfortably than the issue of sectarianism.

The motion commends the people, as well as the agencies and Departments, who came together to show solidarity with, and give comfort and support to, the Roma families. It is important that the immediate needs of those families were addressed and that

solidarity was shown with them and others who felt equally vulnerable because they had been targeted in the past. It is important that we, as a community, stand up and show our support for and solidarity with victims of racism and sectarianism.

The motion, first, condemns unreservedly all racist and sectarian attacks in the broader community, and, secondly, calls for all rights and entitlements to be given to the victims of such attacks. Later in the debate, some of my colleagues will itemise measures that may need to be adopted. We fully commend all those people in the community, voluntary or otherwise, who rose to the occasion, as they often do.

The primary purpose of the motion is to ensure that we put a spotlight on the need for political representatives and other civic leaders to stand shoulder to shoulder with victims of hate crimes and to do our level best to root that out and face it down in communities, if necessary, because some people are hell-bent on displaying racist tendencies. That is why we are adopting the Alliance Party amendment. Strategies, sanctions and a broad range of educational and awareness programmes need to be implemented to tackle those problems. It is vital that we, as public representatives, display our influence in a positive way to help victims in their time of need.

**Mr McCarthy:** I thank the Member for giving way. Does the Member agree that Members and party leaders, in whatever representative role they may play during the life of the Assembly, should be continually trying to educate the public about the need to help others in the community, not just in times of crisis, such as that which occurred a fortnight ago?

**Mr A Maskey:** I thank the Member for his intervention, and I wholeheartedly agree with him. Part of my commentary is precisely in that vein. I am always torn when such crises happen, because like others, I want to highlight the tremendously good work that goes on in our communities. Members who are familiar with south Belfast know that tremendous projects are under way in the Village area, Donegall Pass, the Markets area, and the lower Ormeau Road, and that many people in those hard-pressed communities are doing their level best to help people. Whether it be providing language classes for the Polish community, providing crèche facilities for children or welcoming the Muslim community into the lower Ormeau Road area, there are so many examples of people in that community and, indeed, further afield, working day in and day out to provide those services.

However, there are people in positions of influence in those communities who are not giving them the political, moral or practical support that they need. I am sure that every Member could identify a number of

projects that are happening quietly and under the radar, and we need to highlight such activities.

I said that I am torn because although I want to make sure that we support the fantastic work that goes on every day in many areas, which occurs outside crisis scenarios, when we draw attention to that we tend to veer away from the naked sectarianism and racism —

**Mr Deputy Speaker:** The Member should bring his remarks to a close.

**Mr A Maskey:** I thought that I would get an extra minute.

**Mr Deputy Speaker:** The proposer of a motion does not get an extra minute for taking an intervention.

**Mr A Maskey:** I will seek greater clarification from the PSNI, because a week after it defended its response to the attacks on the Roma families, as it did after the killing of Kevin McDaid, it has had to acknowledge publicly that its response was not up to scratch.

**Mr Deputy Speaker:** The Member has gone well over his time.

**Mrs Long:** I beg to move the following amendment:  
at end insert

‘; and calls on the Executive to publish immediately the draft Cohesion, Sharing and Integration Strategy.’

I thank the Members who tabled the motion for bringing it to the House for debate and for accepting our amendment. Given that the motion refers to what has happened over the past number of days and weeks in south Belfast, I will begin by talking about that. I give my support to the people in the statutory and voluntary sectors who showed great compassion in a very difficult situation. I also add my thanks to those who worked in the various churches as well as the individuals who offered assistance; they showed great generosity and speed in their response to a deepening crisis.

In addition to visiting misery on the families involved, the individuals who conducted the attacks brought massive shame on our city and on Northern Ireland as a whole. There is nothing that we can do or say about the generosity of our people that will ever diminish the damage that that episode has done to the public and international perception of Northern Ireland. However, the episode does raise massive challenges for us with regard to how we want to be seen and, more importantly, how we want to be as a society.

I recognise that the individuals who were involved in the attacks do not represent the people of Northern Ireland, do not represent the people of Belfast and do not represent the people who lived next door to, and in the streets around, the Roma families. That is clear, because it was those people who offered their support

and assistance to the families who were worst affected. However, the perpetrators have raised major challenges for political leaders in the community, and society as a whole, in how we are going to move forward and deal with difference in a more positive and constructive way. It is clear that we have problems in our society and that, although this episode may represent the sharp edge of the problem, it is not the full extent of it. We need to reflect that in everything that we say.

Nothing that I have said about the perpetrators of the attack not reflecting the community in any way diminishes the impact of their actions or the damage that they have done to our reputation. We must rise to the challenge and deal with the issues that have emerged from the episode.

Our society faces a number of issues, because we do not deal with division or difference well. On top of that, we are now trying to integrate people from a host of different backgrounds into a deeply divided society. The challenges presented by that are massive, and we need to recognise that without a vision on what the future should look like and the role of people in that future, the journey ahead is incredibly difficult to plot out. We have to look at how people in local communities can have the confidence to embrace and welcome difference, not just our traditional difference, but all of the other differences that arise in modern society. We also need to look at how we can build capacity and support for that into communities that are already doing so much work.

Much work is happening in local communities, evidence of which I have seen in my roles as a councillor and an Assembly Member. I am hugely impressed by the work put in by people who are trying to build relationships from the bottom up. However, that work must be more widely covered and more strategically supported. The difficulty for many communities is that when they seek support — not necessarily funding — from Government for their aims and objectives, that support is not there.

4.00 pm

One example of that is the situation in Suffolk and Lenadoon in Belfast. People in those communities have done much hard work together to try to build some sense of shared space and shared future. That work has been difficult, but it has been driven by the local community. However, Suffolk Primary School will close this week; in fact, I believe that it closed last Friday. The result of that is that a community living in the city feels marginalised and excluded. That will add to the impetus for that community no longer to feel that services and provisions are there for it to remain part of the wider community. The school closed not because of residents' lack of activity and effort but because there was no Government support for the will

to transform the local primary school into an integrated primary school, which would have given people a sense of shared space and shared future.

The problem is that the only framework that the Minister of Education has to go on is one that considers the school. However, schools are about sustainable communities, and unless the shared future framework and the cohesion, sharing and integration framework are in place to allow us to examine the issue more strategically, we will continue to make decisions that entrench division rather than challenge it. A massive amount of work needs to be done.

Two competing surveys were published last week: one found that Belfast is one of the friendliest cities, while the other found that we are one of the most prejudiced groups of people in Europe. We must consider what those surveys say about us, because it is probably true that more people in Belfast, and in Northern Ireland generally, consider their neighbours to be their friends.

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

**Mrs Long:** No, because I will not get extra time in which to speak.

We view our neighbours to be our friends, because our neighbours are those who are most like us. Nevertheless, we do not necessarily extend the same welcome to those in our communities who are different from us. The key challenge is to build on the positive, warm, friendly and welcoming relationships that exist in communities. We must extend those welcomes beyond the immediate community to those who are new, who are different and who come to reside beside us.

The development of the cohesion, sharing and integration strategy has raised some issues. The biggest challenge for the strategy is to achieve cohesion around a vision for the future of the kind of society in which we want to live. At times, we swing between despair and complacency on those issues. We must adopt a strategic approach that will underpin the good work that is already being done while driving it forward with momentum to put a vision in place. That work must be more coherent. I listened carefully when the deputy First Minister said earlier that legislation in itself will not make people good. We all accept that, but what legislation can do is set the standard for what society feels is acceptable. It can create a vision that people can buy into and work towards. It can underpin and reinforce positive actions that come from the community, and it can deal with exclusion in communities, which can lead to violence and frustration.

We need the cohesion, sharing and integration strategy to be in place for all those reasons, not as a response to an incident but as an ongoing, dedicated piece of work that tries to move our society forward. When it comes to prejudice, sectarianism and racism

are not only close relatives but interplay to create a dangerous cocktail in some of our most vulnerable communities.

No one will say that 'A Shared Future' was perfect. We all accepted that it needed to be changed and revised, and that local parties should have ownership of it in order to sell it as a vision to local communities. That is absolutely key. However, we need not reinvent the wheel on every occasion but simply refine the strategy. Two years in which to do so seems excessive. We really need to move quickly from strategy to action plan, because it is in action plans rather than strategies that we will witness things driven forward strategically.

During today's debate, there has been a reflection of the perceived tensions among human rights, equality and good relations. I do not see tension there. Those three are like the legs of a stool: when any one is not working, the stool is no use. Those are the three elements that support our society. We have to have respect for equality; we have to have human rights; and we also have to have good relations, because there will be occasions where people of equal status, with equal human rights, will have differences. It is the way in which we deal with those differences and disagreements that will, ultimately, make for a stable or an unstable society.

The motion makes reference to rights and entitlements. One of the most moving aspects of dealing with the families involved in those attacks was how few rights and entitlements they have. We must carry out a massive job of communication with those who write to us to complain that migrant people are taking their jobs and using up social-housing resources to make them understand that those families had no rights and entitlements to anything from the state. They were carving out a living at the margins.

Although it is important that we unreservedly condemn the actions of those involved in the attacks, we must find ways of moving beyond condemnation to deal with the underlying causes of that kind of violence. Although it may spring into violence in particular locations —

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

**Mrs Long:** We have to accept that a social response is required to deal with the challenges that face us.

**Mr Shannon:** I support the amendment. It is an opportune time for us to speak on the issue. I was shocked and disappointed to see the events that unfolded around attacks on migrant workers in Belfast recently. There are many migrant workers in most parts of the Province. In Ards, in my constituency, many migrants from different countries live and work peaceably and make a vast contribution to the community.

One community organisation hosted a multicultural day, during which members of different ethnic



backgrounds cooked food, made crafts and exchanged cultural ideas about their traditions. That was a raging success. Willowbrook Foods in Newtownards recently opened a new factory, which employs a large number of migrant workers who have successfully integrated into community life while retaining their sense of identity. Most people are more than happy to have those people working, paying taxes and contributing to the community.

Let us be honest, there have been religious and sectarian attacks on members of the Protestant community that I represent right across the Province over some 30 years. Indeed, my cousin Kenneth Smyth, a sergeant in the UDR, was murdered along with his Roman Catholic colleague at the border on 10 December 1971. The Protestant community there had to move out because of the attacks that they were under. Where there was once a strong Protestant community around Urney, Clady and Strabane, it has now been decimated and is no longer there.

Attacks on Orange parades are another indication of hatred coming from one side of the community. The attacks that occurred on Saturday were an indication of that. All over the Province, we have the same thing, whether at Drumcree, Dunloy or Castlewellan. All sectarian attacks are equally abhorrent. Attacks against migrants are becoming more violent and threatening, and decidedly un-Northern Ireland like.

We er weel kent as tha wee kintrie wi' a' big hairt, an oor guid naem o' waremth an feelin is bein ruinet bi' thugs hoo irnie representative o' tha large majority in tha Proavince. We hae haud sum kinserns in oor kumunity an sum metters sic as yin in Kummer laust yeer, but that wus a yin-afff an haesnae bin repeetet. Whut hooiniver is cleer ther er fowk whau er fed up wi' tha woarl in general an takk it oot oan fowk in pertikuler; unfoartunately, it seems tae be that it's aieser tae pikk oan tha yins that hae nae supoart netwoarks.

We are well known as the wee country with a big heart, and that reputation of warmth is being destroyed by thugs who are not representative of the huge majority in the Province. There have been some concerns and issues in our community, such as that in Comber last year, but that was an isolated incident, and has not been repeated. It is clear that some people get frustrated by the world in general and take it out on people in particular; unfortunately, it seems to be easier to pick on those who do not have support networks.

I do not know all the ins and outs of the situation in Belfast — other Members would be able to give more detail — but some people experience frustrations with their foreign neighbours. One thing that we have learnt over the years is that there can be no place in the Province for violence and thuggery such as that seen in Belfast, which resulted in a place of worship being

attacked: a place of worship that gave sanctuary and hope to people at that time yet became the target for attacks for a short period.

I read an interesting article that said that in the past decade, funding for anti-racist initiatives has been increased, new laws brought in and representatives from across the political spectrum have denounced racist attacks. It was once claimed that racism is the new sectarianism, but that has not turned out to be the case. Race crime is not widespread, but neither has Belfast proved to be a safe haven for immigrants.

Events such as those of recent weeks are not isolated; many racist incidents are not publicised or reported to the police. Unsurprisingly, the number of migrants arriving in Northern Ireland was low during the Troubles. However, as more arrived, the number of racist incidents grew, with almost 300 in 2004 as ethnic minority numbers rose to some 30,000.

Such attacks were not limited to ethnic communities: any form of prejudice is unacceptable. The Equality Commission found that Ireland's Traveller community faces more prejudice than even foreign migrant workers. Although views have hardened against Travellers, the gay community and foreign immigrants, sectarian attitudes might be softening. There is hope. The commission said that just 6% of those surveyed would mind living beside someone of a different religion. Are things getting better? We hope that they are.

That shows that there is change and the hope that we can end this thuggery and accept people for who they are and not where they are from. There was also hope in the response that was shown in the provision of shelter, blankets and food, and the outcry against those acts of violence against women and children, which can never be accepted.

**Mr Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Shannon:** We cannot and will not accept any kind of hate crime in any guise in the Province. Those who perpetrate such crime might be young and foolish, but we who are older and, hopefully, wiser, must ensure that that remains the extraordinary and never the ordinary.

**Mr Kennedy:** No right-thinking person could fail to be appalled by the racist attacks in Belfast in recent weeks, and like all other parties, the Ulster Unionist Party roundly condemns them. On behalf of my party, I express to the Roma people our profound sympathy and horror at what took place.

Those attacks need to be condemned not simply because of the damage that they do to Northern Ireland's reputation across the world but because of the suffering that they inflicted on the families and children involved. Anyone who is legitimately resident and working in

Northern Ireland has the right to live and work here in peace. As a broader society, we must welcome people from different cultures and countries and recognise the diversity and great benefit that they bring to Northern Ireland.

I do not, however, believe that it is helpful in this case to use those incidents to level unfair criticism at the police. The Romanian Ambassador to the United Kingdom was specific in praising the response of the authorities here to the attacks. In measured response time, the police response varied from one minute to 10 minutes. The Chief Constable also made the very valid point that the situation was more complicated than press headlines might suggest. Some of the incidents, I understand, involved serious disputes between Romanian families and were not specific to racist attacks. In a free society the police can offer protection, but they cannot prevent people from moving of their own free will.

**Ms Lo:** I think that what the Member said about a serious dispute between families is misinformation. There were four nights of ongoing attacks on those families, and there was one incident of Romanian families having a party on one night but at which there was no serious violence of any sort. However, the main issue is that local people were attacking Romanian families.

**Mr Kennedy:** I am grateful to the honourable lady for clarifying that. However, there is an issue that relationships within Romanian families have sometimes given rise to tension.

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

**Mr Kennedy:** I am sorry, but I have already given way.

4.15 pm

There can be no question that delays in the publication of the draft cohesion, sharing and integration strategy, for which OFMDFM is responsible, have undermined the education effort to promote cohesion and better attitudes towards race relations. As the amendment suggests, if we learn anything from these very regrettable incidents, it should be that there needs to be more leadership and incisive decision-making, particularly from OFMDFM. It is easy for all of us to beat our breasts after the event, to say how terrible this thing is and to use endless adjectives to condemn the attacks. However, all of us need to promote better race relations and understanding so that the stigma of bad race relations does not stick to the Province's reputation.

In the context of the damage that the recent events have done to race relations, it is important to understand, in a mature way, why some people in our communities develop such unacceptable views towards immigrants and those who are perceived to be different. Northern Ireland is a much more tolerant place than it once was,

but many outstanding issues of concern need to be addressed. The economic downturn unquestionably plays a part, but it is important to listen to the concerns of all sides, including those of communities who, rightly or wrongly, feel threatened by immigration.

I do not say that to condone what has happened in any sense, but to try to understand it. While setting our faces resolutely against the evils of racism, we must also be willing to undertake the education of individuals and communities that feel threatened by difference and immigration. That is why the continued postponement of the cohesion, sharing and integration strategy is so important. There is a major work of education to be undertaken, and we must get on with it quickly.

I support the motion and the amendment.

**Mrs Hanna:** I support the motion and the amendment, and I thank the Members for tabling the original motion.

It has been a depressing time, particularly for people who live in south Belfast. I want to start with the attack on Roma families in Belgravia Avenue and Wellesley Avenue; their decampment to the City Church, to the Ozone Leisure Complex and to Queen's Elms; and the decision of the great bulk of those unfortunate people to return to Romania in the past few days. The situation has generated worldwide negative publicity for Northern Ireland and shamed us before the world. In some ways, the bullies have been allowed to win and to get their way. The subsequent malicious and malevolent attack on the City Church has just added to the hurt. That is the latest intimidation, and I hope that it is the last.

We must all take a good look at ourselves; at our collective inability to learn from the past; at how we keep repeating the mistakes of the past; at our incapacity to accept difference; and at our suspicion of outsiders. Racism is just the other side of the coin of sectarianism. Regrettably, sectarianism is an infectious disease that is endemic throughout our community, and none of us is immune from it.

Some 20 years, or even a decade, ago, I would have had no difficulty in identifying myself, in political terms, as a democratic Irish nationalist first and foremost. I want to see the people of Ireland united in harmony. I want this island to be controlled by all the people of Ireland: nationalist, unionist and others. However, if nationalism means despising people because of their national, ethnic or racial origins or looking down on them because of an accident of birth, I am not a nationalist. Too often, the mindset that being British or Irish is best just sounds like a cock crowing.

I fully acknowledge the right of parents to choose the type of education that they wish their children to receive. However, surely a state-sponsored system can deliver education to children with a Catholic, or any other, ethos; surely all children can be educated together,

rather than separately. We must proactively address the segregation of housing and education.

In the European election four years ago, three MEPs who are more or less opposed to the European ideal were returned. Although I do not quibble with the democratic outcome, as someone who embraces the European ideal, I am aware that much of the outside world views us as dour, suspicious, inward looking and self-absorbed.

**Mr McCarthy:** Will the Member join me in condemning the utterly contemptible speech made by a television celebrity during 'Question Time' on 18 June 2009? She tarred all Northern Ireland people with the same brush. I will not repeat what she called us, but it was out of order, and everyone in Northern Ireland deserves to receive an apology from that individual.

**Mrs Hanna:** That lady should spend some time here and learn more about us. It is unfortunate when everyone is tarred with the same brush; that has happened to me and to everyone here in many different circumstances. It is dangerous and hurtful.

OFMDFM must get its finger out and produce a practical work plan for the implementation of the cohesion, sharing and integration strategy. The two Ministers have messed around with the Assembly. Although I am pleased that both Ministers are present, if the DUP and Sinn Féin cannot reach agreement on a shared future, they should be honest about it and tell the Assembly what is happening. We urgently require a vision and a practical plan for how we can learn to live together, respect one another and, perhaps, gradually grow to appreciate one another.

We watched the charade of the appointment of the four victims' commissioners.

**Mr A Maskey:** Does the Member acknowledge that at least one Minister, the Minister of Education, despite advice to the contrary from the Department and many other commentators, including some MLAs, ensured that provision was made for Romany children to receive free school meals? They were not entitled to that under the legislation and the state's immigration provisions.

I suggest that other Ministers do likewise and examine how they can act without waiting for the OFMDFM strategy. Although, as I said earlier, the strategy is important, Ministers can do a great deal of work without it. I invite the Member to acknowledge that Caitríona Ruane took direct action against the advice of many, and that few other Ministers have done the same.

**Mrs Hanna:** I appreciate the action of any colleagues and Ministers in the Assembly. My colleague Alasdair McDonnell was also heavily involved in supporting that initiative. I support and welcome any move to look after people.

Earlier, during questions to OFMDFM, I said that action on flags is required. The motion rightly:

"calls for the rights and entitlements of ethnic minorities and other vulnerable communities to be protected".

Yesterday, I drove along Finaghy Road South in south Belfast.

**Mr Deputy Speaker:** Please draw your remarks to a close.

**Mrs Hanna:** As the Union Jack and the Irish tricolour are so often used for coat-trailing, a protocol on flags is required.

**Mr Deputy Speaker:** Your time is up.

**Mrs Hanna:** Communities desperately need diversity, new thinking and new ideas to enable them to open up to the rest of the world.

**Mr Spratt:** I support the motion and the amendment before the House. I am sure that we, as a body of elected representatives for the people of Northern Ireland, can unite in condemnation of the attacks witnessed off the Lisburn Road only two weeks ago. Such intimidation has no place in society and must be eradicated. The pictures and coverage that were beamed across the rest of the UK and beyond do not portray the desired image of Northern Ireland.

The media, the PSNI and others must also play their part. I note that Mr Kennedy has left the Chamber. Many of the problems have arisen in the communities in the Village area. Everyone, whether they be elected representatives, the media, the police or other folk involved in dealing with attacks and racism, must be extremely careful about how they are portrayed, because all too often matters can be blown out of proportion.

I want to ask the PSNI questions about some of the statements that were made by Assistant Chief Constable Alistair Finlay.

**Mrs Long:** I thank the Member for giving way and for condemning the attacks. Based on what Mr Kennedy said in his contribution, it is important to put on record that the people who were the nearest neighbours to the families in those cases were among the first to come forward to assist. That is evidence that those people were innocent victims of racist abuse rather than being people who had brought it on themselves in any way.

It is also important to clarify that when the police referred to the complex issues that surround the case, it was not to the complexities of the motivations behind the attacks, it was to the difficulties in engaging with the Roma community, which is suspicious of authority because of the history of abuse that it has suffered across Europe.

**Mr Deputy Speaker:** I ask Members to keep their interventions brief.



**Mr Spratt:** I accept what the Member says. There have been many incidents in the area. All of us need to be careful about how we deal with them because the problem is that the area that I represent has been labelled racist for no justifiable reason. Entire communities are being portrayed as unwelcoming: nothing could be further from the truth. As the honourable lady knows, many things are happening in schools in those communities to welcome and help people from all backgrounds. In fact, some of the schools, such as the primary school in Fane Street, are attended by children of many nationalities. That needs to be recognised.

Members have portrayed the attack on the Belfast City Church as racist, but the police have backed away from that stance. Three young men were arrested, and a report on two of them is going to the Public Prosecution Service. Two or three days after that attack, the police were keen to point out that they do not consider it to have been sectarian or racist. Once again, media across the world portrayed Northern Ireland as racist. Criminal damage takes place night after night in that area; it is a regular occurrence, and police resources are stretched to the very limit to deal with it. That is why we all need to be very careful about how the issue is portrayed: we need to be careful that we do not inflame the situation. We Members must get our facts right because within minutes of an attack, before a proper police investigation has taken place, people are keen to portray it as something that it turns out not to be. I urge all Members to be extremely careful in that respect.

I welcome the motion. All of us on this side of the House utterly condemn any attack in south Belfast. People from different ethnic backgrounds in south Belfast live in harmony with all their neighbours day and daily. I continue to appeal for calm in the area. I thank those who helped the victims of the attacks, especially those in the Belfast City Church who immediately provided help for the Roma community. Those of us who work in the area know that they have acted similarly on many occasions.

I support the motion and the amendment.

**Ms Anderson:** Go raibh maith agat, a LeasCheann Comhairle. Éirím le tacaíocht a thabhairt don rún agus don leasú.

I support the motion and the amendment. All right-minded people will have been sickened by the attacks that forced so many Romanian people to flee their homes. The image of the five-day-old baby being held by our deputy First Minister is embedded in everybody's mind, particularly given the context: she was born here, but she has had to move to another country with her parents.

4.30 pm

Those attacks were the outworkings of a warped mindset that has never tolerated anything but itself. It

is a mindset that for years has been ignored and even encouraged by some in the Establishment. Some of the most so-called Christian of places have been underpinned by a culture of intolerance. We have all heard the Pope being described from the pulpit as the Antichrist. Whether the targets are Romanian or Roman Catholic, the bigotry that they face is the same.

The recent Equality Commission report that was referred to by Naomi Long showed rising levels of intolerance here, and clearly stated that not enough was being done to confront and challenge that bigotry. If we are to tackle racism, sectarianism and other prejudice, if we are to truly build good relations, it must be on the basis of equality and respect.

Equality is the foundation on which good relations can be built. Good relations can never be built on inequality. Therefore, I hope that the CSI strategy paper to which the amendment refers does what Naomi Long said at Question Time earlier today, and that it is proactive and ambitious. I would add that it must display what the Programme for Government commitments call for: new and innovative ways of doing business.

Today, I met an organisation called SEEDS (Solidarity Equality Education Diversity Support) and the race relations unit of OFMDFM. SEEDS is a Derry organisation headed by Eddie Kerr that provides help and support for ethnic minority groups. He recently remarked that the only minority group that we have in this society is the one to which racists and sectarian bigots belong, something with which many of us would agree.

The motion calls for political leadership and unity of purpose in tackling all manifestations of hate crime. The sad fact is that it must be said that unionist Members have been found wanting in that regard. Time and time again, we have failed, and they have failed to confront hate crime, particularly sectarianism that emanates from within their community.

Before anyone gets the wrong impression, I am not suggesting for one second that all intolerance emanates from within the unionist community. I will repeat that: I am not suggesting for one second that all intolerance emanates from the unionist community. However, the difference is that my party has always confronted those issues head on in our own community.

We have gone toe to toe with those responsible and we have let them know in no uncertain terms that no such behaviour will be tolerated or accepted. We have had a vigil in the Bogside area of Derry after attacks in the Fountain; we have been involved in forums with residents trying to address that. We have challenged and confronted, head on, attacks that have emanated from within our community, but we do not see the same level of confrontation within the unionist community.



**Mr Shannon:** Will the Member acknowledge that a great many of us in the Chamber, if not all, are also trying very hard to address those issues head on and toe to toe, as she said? Does she accept that her statement throws a question mark over some Members? Purely on behalf of my party, we have never been afraid to confront the issue straight on, head on and toe to toe.

**Ms Anderson:** I must say that people in our society would like to see more evidence of that. I refer Members to a case in Derry earlier this year of a loyalist attack on a young Derry man who was left in a coma and remains so as we speak, still fighting for his life. It was not Sinn Féin but the 'Derry Journal' that said:

"The silence from Unionist politicians and people since the attempted murder of Paul McCauley and his friends by the UDA especially in close knit Unionist communities like the Fountain has been deafening."

That is not Sinn Féin saying that; it is the views of the people in our city who witnessed that attack and who wanted and were eager to hear people in the unionist community come out and condemn it.

That "deafening silence" has been repeated right across the North. It has been repeated in places such as south Belfast, where Romanians were forced to flee their homes, and in Coleraine, where Kevin McDaid was so brutally murdered by a sectarian mob. Mr Shannon talks about how his party has gone toe to toe with people, but the MP for that area did not have the political integrity to give personal support to the McDaid and Fleming families: shame on him.

Unless unionists step up to the plate and show the kind of political leadership that is required, I am afraid that the void will continue to be filled by those who have hatred in their hearts. We must move beyond rhetoric and restating our positions —

**Mr Deputy Speaker:** The Member should draw her remarks to a close.

**Ms Anderson:** We must challenge those who engage in that behaviour, and, by our policies and practices, we must promote equality, respect and inclusion. I hope that the CSI strategy attempts to do that and much more. Go raibh míle maith agat.

**Mr Newton:** I support the amendment. The recent attacks on the Roma community should be, and, I believe, have been, widely condemned by every Member of the House and by all responsible sections of our society. There is a deep recognition that racism has no part to play in our society and nor has sectarianism.

An indication of the problem is that, in 2008-09, the PSNI recorded approximately 1,500 sectarian incidents; 900-odd incidents of racism; 179 homophobic incidents; 46 faith/religious incidents; and, most unfortunately of all, 44 disability-related incidents.

I do not believe that Northern Ireland is a racist state. However, a small element is trying to destroy our image in order to portray Northern Ireland as a cold house for immigrants. I use the expression "cold house" because many unionists understand it and, in one way or another, have experience of it. Visitors to Northern Ireland often testify to the contrary. Only this weekend, I had contact with visitors who were full of praise for the friendliness of local people and for their reception as they travelled for nearly two weeks in the Province.

Down through the generations, we have built a well-deserved reputation for generous hospitality. In many ways, the recent attacks prove that that is true, because all sections of the local community responded generously to those who were attacked, and that reflects the generosity of the wider community. Indeed, Belfast was recently found to be the friendliest city in the UK.

I emphasise again that the attacks were carried out by a small minority. There is a need to educate our young people about racism and sectarianism to stop the problem arising while they are young. However, that requires investment across the board in education, youth provision and community development.

I take issue with the previous Member's remarks that unionist Members have been found wanting. When one considers Sinn Féin's history, how dare it lecture unionists about sectarianism and their unwillingness to go toe to toe. It was, and is, always wrong to attack people because of their nationality, culture or religion. It is wrong to attack people because they are Protestants; it is wrong to attack parades in which Orangemen and women are celebrating their British culture; and it is wrong to set up residents' groups to oppose those parades, which has been Sinn Féin's deliberate and long-term strategy. Moreover, it is wrong to attack places of worship because they are Presbyterian, Church of Ireland or Methodist churches. It is, was and always will be wrong, and nobody will take a lecture from Sinn Féin on that subject.

It is wrong for anyone to accept, with the minimum of comment, the ethnic cleansing of Protestants along the border areas or the swathes of Protestants from the west bank of Londonderry or Belfast who have had to move because of an orchestrated campaign by a terrorist organisation against them on the grounds of their religion and culture. It is wrong to murder men and women because they were building police stations or Army bases; going out each day to earn their living. Let me ask the Member opposite whether she is prepared to stand toe to toe and condemn those incidents of murder over the years that were part of her party's strategy.

The work of challenging sectarianism, racism and all forms of intolerance —

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

**Mr Newton:** That work should continue, and it needs the support of the Chamber.

**Mr Elliott:** A lot of the argument has surrounded two aspects of life here: respect and responsibility. Many people in the Province and, indeed, those who come to live here need to show respect and responsibility. When people from other countries come to live and work and to settle in Northern Ireland, they have a right to do so without fear of intimidation, without harassment and bullying, and without being driven out of their homes. That is absolutely right. However, those people who come to live and work in Northern Ireland also have a responsibility to remember the culture that they are coming into and to respect the rule of law here.

The difficulty is that a small minority of every section of the community here makes bad blood for the entire community. We do not have to go too far to see some examples of that: south Belfast just a couple of weeks ago.

**Dr Farry:** Will the Member give way?

**Mr Elliott:** I will give way in a minute.

South Belfast just a couple of weeks ago was a perfect example. Another example is Moygashel in my constituency, where some people attacked homes of foreign nationals. However, there are other examples of groups of foreign nationals attacking local people in cases where they do not adhere to the law and order in this country as they should.

**Dr Farry:** I am grateful to the Member for giving way. Does he have any evidence that the levels of offending among new residents in our society are any higher or different from those of the existing population? We need to be careful about sending out a message that people who come to live with us are committing offences against the local population and that that is different from locals committing offences. That is a dangerous message to send out.

**Mr Elliott:** I thank the Member for his intervention. I am quite prepared to say that there are occasions when people from the local community have attacked foreign nationals. We are all aware of that. I am also very aware of occasions when people from foreign countries who have come to live here have attacked local people. Yes; there is evidence of that, and I can forward it to the Member if he wants. We need to move on with the issue.

I agree with what Mr Newton said about respect working both ways. We must respect the culture of people who come here. I put on record my support and appreciation for the work that a lot of the services and local agencies did for the people in south Belfast over the past few weeks in particular. That was extremely welcome and appreciated by all; not only by those who

were in difficulty but by local people. I know that from my constituency.

I turn to the wider issue of sectarianism, which we have also heard about. The Protestant community knows exactly what it is like to be intimidated, bullied, burned out, bombed and shot at. Mr Newton and others have referred to that. I heard the unionist outreach officer from Sinn Féin, who has now left the Chamber, a few moments ago. Some unionist outreach officer, I have to say. She should look at her own community, where only a very small minority of Protestants now live on the west bank of Londonderry. Why is that? When asked, most of those who have left say that they have been driven out.

They were driven out by republicanism. I know that only too well from my constituency of Fermanagh and South Tyrone. Protestants in the border areas of my constituency have been shot, bombed and killed for no reason other than their religion, as Members will know.

4.45 pm

**Mrs Long:** Will the Member give way?

**Mr Elliott:** I will give way in a minute. The last remaining Protestant business owner in Rosslea in County Fermanagh was murdered by the Provisional IRA. I challenge Sinn Féin Members on the Benches opposite to condemn that murder, the Claudy bombing, the Enniskillen bombing and all the murders that have taken place in the border areas of Fermanagh, Armagh and Tyrone and those in the cities of Belfast, which we heard about, and Londonderry.

**Mrs Long:** The Member made the helpful suggestion that it would be good for all of us to reflect on what our communities do to other people and not just point the finger at them for what they do to us. Unfortunately, the debate has been about Members doing the opposite. Has the Member anything to say about sectarianism coming from his community that might be reciprocated by Members who speak later in the debate?

**Mr Elliott:** I thank the Member for her intervention. If she looks at my record she will see that, as a leading member of the Orange Institution in the county, I debated sectarianism in places for going to which I was often condemned by my own community. On behalf of the Orange Order, I have spoken in such places as Bundoran and Sligo, areas in which one does not often find representatives of the Orange Institution. I have been prepared to do that to listen to the other side's perspective, and I am willing to continue to do so. However, I want to see respect and tolerance shown to the Protestant community by the other community. That has been lacking.

**The First Minister (Mr P Robinson):** I am grateful for the opportunity to respond to the debate, and I thank the Members who tabled the motion for bringing

it to the attention of the House. On my own behalf and on that of the deputy First Minister, I join with others in unreservedly condemning all racist and sectarian attacks. I urge support for the motion as amended.

I welcome all Members' contributions, particularly in the earlier part of the debate. I regret that the Member for Foyle Ms Anderson engaged in the blame game; we learned that when one points the finger, three point back at one. The responses thereafter showed that.

The attacks of recent weeks and months bring shame on Northern Ireland. The evils that have been targeted at some of the most exposed and vulnerable people in our community are unacceptable and cannot be tolerated. A small number of antisocial, blinkered and intolerant individuals have damaged our reputation around the world.

As other Members said, such individuals are not representative of the overwhelming majority of people in Northern Ireland; that has been demonstrated clearly through the highly positive and supportive response of so many good people over the past days and weeks. Such a positive response is the norm across Northern Ireland wherever and whenever there have been racist or sectarian attacks. It is the attitude of those good, right-thinking people that will prevail and which will lead our society into a shared and better future where everyone is treated as an equal, every community and its culture are treated with respect and people from all backgrounds live together in harmony, prosperity and peace.

The attacks have brought shame on Northern Ireland, but they have also allowed us to demonstrate that most of us are supportive of new communities and are appalled by such attacks.

The Romanian ambassador, whom we met, was encouraged by the positive and swift condemnation, from every section of the community, of the recent attacks on the Romanian immigrants and by the reaction of public authorities and voluntary groups.

However, it is important to remember that the attacks are not just news stories or media events; they are highly personal and tragic events for individuals and families. Indeed, several Ministers visited the Ozone leisure centre complex where the group was given temporary refuge. They met the mother of the five-day old baby whose life was threatened, and they saw the young children who were forced from their homes.

I offer my sincere thanks for all the work that Departments, voluntary agencies and individuals have carried out in recent days to help and support the Romanian families who were threatened and attacked. In particular, I single out the South Belfast Roundtable on Racism, the Belfast City Church, and Embrace Northern Ireland for their work. Belfast City Council and the Lord Mayor should also be commended, and I

thank the many other people who have shown their support and goodwill. The actions of those groups and individuals have shown the real generosity and decency that exists in our community, which can be built on in the long term.

Sadly, in this particular case, the majority of the group has chosen to return to Romania. However, as the decent people of Belfast have shown, that cannot be counted as a victory for those who carried out the attack. Rather, the recent response from across the community and the prompt action of the statutory organisations should be seen as a sign that we will do everything in our power to protect people and take action to ensure that their human rights are safeguarded.

In recent weeks, we have talked about the attacks on the Roma, and we await the results of the PSNI investigations into those incidents and those that followed. In the past, we have spoken of the Polish people, Lithuanians, Latvians, Travellers, Catholics, Protestants, unionists and nationalists. However, we must remember that whatever the label, we are talking first and foremost about human beings who are being attacked: fathers; mothers; sisters; brothers; sons; daughters; and neighbours.

The PSNI has been able to make arrests already and bring charges for the events, and the perpetrators of such attacks should be in no doubt that they will be brought before our courts and brought to justice. We are committed to working closely with the police and criminal justice agencies to ensure that sectarian and racist attacks are tackled and prevented.

The recent attacks have received a lot of media coverage and have generated a great deal of public debate. Once again, we have seen the people of Northern Ireland described by some as being full of hatred. Of course, that is cheap, inane and ill-informed nonsense spoken by those who are more interested in headline-grabbing than in problem-solving. There are, of course, a tiny number of people here, as there are in many countries, with completely bigoted and narrow-minded views. There are also others, and we have all come across them, who are simply ignorant and misinformed. We, as elected, public representatives, have a responsibility to counter the myths.

Our economy needs many of the migrants who come here to work, and they are very welcome for the economic benefits, skills, new ideas and fresh perspectives that they bring. Many of them fill skills shortages or do jobs that indigenous people will not do. Indeed, our Health Service, for example, would probably grind to a halt overnight were it not for the many internationally recruited nurses. In a wider sense, and in a very real way, racist and sectarian attacks, attacks on tourist buses and that brand of antisocial behaviour cause real damage to all of us in our community. In challenging



economic times, we are trying to grow our economy, attract inward investment, and increase tourism. Those types of attacks hinder that and damage everyone's prospects here.

Our primary focus in recent months has been on the economy. However, we cannot hope to progress economically, or more generally as a society, if racism, sectarianism and intolerance continue to exist. There can be no room for complacency about those matters.

We stated in the Programme for Government our determination to:

“address the divisions within our society”.

In that document, we recognised the corrosive effect that sectarianism, racism and intolerance have on our society and economy.

As a society in transition and moving out of conflict, we have made a lot of progress, but the only way in which we can really move forward is by building a future that is based on tolerance, mutual understanding and respect for cultural diversity wherever it exists. We do not pretend that those problems will be resolved quickly. We do not have to look very far for evidence that there is still a great deal to be done. It will take consistent hard work and effort for us to win that battle. We can and must prevail, but we should look at, and learn from, experiences elsewhere. We face an ongoing struggle against sectarianism and racism, and we are determined to do all that we can to stamp them out.

While policy is developed, the daily work of combating discrimination and fostering good relations continues. Over the period from 2008-2011, we have allocated additional funding of almost £7.5 million to the budgets for good relations and good race relations. That means that a total investment of £29 million has been put towards meeting the PSA target of a shared and better future for all. Earlier this year, we were again able to increase the funding available to a range of minority ethnic organisations under our minority ethnic development fund. Those groups do a lot of great work on the ground to promote community cohesion, prevent attacks and support unfortunate victims. Indeed, several of the funded groups have played a key role in responding to the events of the past days.

The Assembly endorsed the racial equality strategy on 3 July 2007. We remain committed to the six shared aims that are set out in the strategy, and we consider them to be robust and comprehensive.

I am impatient and deeply disappointed that, to date, we have not yet finalised proposals for a programme of cohesion, sharing and integration. That programme will tackle the twin evils of sectarianism and racism, which are inextricably linked, and it needs to tackle hate crime in all its guises. I recognise that the programme is eagerly awaited, and I hope that the House will agree

that it is important to get those proposals published without delay and ensure that they address problems in a substantive and holistic way. Such a programme will provide the framework for us to move forward into a new society that is based on tolerance and respect for cultural diversity. It will build on the achievements of previous initiatives as well as previous programmes. It will tackle the kind of racism that we have seen in our Province.

In moving forward, we need to establish a stable society in which people live and work together peacefully, regardless of culture, community background or beliefs. It is that mutual acceptance and appreciation that must and will be the foundation for our future prosperity. I am pleased that today we have been able to show to the world our condemnation of racist and sectarian attacks and our commitment to building a society in which all cultures and people are welcomed.

**Ms Lo:** I am very heartened by the response from all Members and parties today. I particularly welcome the First Minister's strong words and his sincerity and commitment to deal with the problem of sectarianism and racism. However, I am also saddened by some of the comments, which seemed to me to be defensive and to stereotype our ethnic minority communities. There are good and bad apples in all communities, and we have to take that into account. Where there are large numbers of new populations, there will, of course, be some people who will misbehave, but that is no cause for racist attacks.

We must address racism and hate crimes of all types in our society. I have lived here for 35 years, and I do not believe that Northern Ireland is a racist society, but a small minority can bring us all down in the eyes of the world. We must be very careful about that.

I believe that racism is on the increase. Last year, there were nearly 1,000 incidents, but I have no doubt that the figure for this year will rocket. In the past few months, more than 80 Polish people have been intimidated, and more than 40 of them have moved out of their homes as a result of that intimidation.

Following that, Hungarian women were forced out of their homes. Next, 115 Romanian families were forced to leave their homes. Only three of those families have stayed in Northern Ireland; the remainder left last week.

5.00 pm

The Indian community was targeted last week. Over the weekend and today, a large number of people from ethnic minorities, including myself, received serious threats to our safety. I have never seen the ethnic minorities in Northern Ireland so fearful.

I urge the Minister to publish the draft cohesion, sharing and integration strategy as soon as possible to assure the entire community that the Assembly is serious



about addressing sectarianism and racism. The Minister referred to a number of very good organisations. However, those organisations must be resourced to enable them to bring those new and established communities together so that they can work together to promote mutual understanding and break down barriers and fears on all sides.

We need leadership from the Government, but we also need Government action. Many public services are not geared to meet the needs of ethnic minority communities. Over the past two weeks, the Government's response to meeting the needs of the Romanian community has been inadequate. Children were moving from place to place clutching their teddy bears, their pillows and blankets, and we could not do a thing. We had to put them in a church for one night and shift them somewhere else the next night. What on earth are we doing? We are a large, wealthy population. Why can we not deal with such a situation?

The draft cohesion, sharing and integration strategy must be published immediately and must include strategies to deal with those situations. It is shameful that we cannot look after such a small minority. Those 115 families were attacked night after night and they were absolutely petrified. The deputy First Minister, Martin McGuinness, saw how frightened the women and children were; we all saw that they were fearful for their lives. It is not good for our image, it is bad for investment and it is bad for people who want to come here to live, study or work.

This is a lovely country and we need to defend our name, but how can we? We need action on the ground and action from all Departments. The voluntary sector and the grass-roots sector must work together. It is important to show that we can treat ethnic minorities well and, in doing so, we can show people that we have equality, human rights and good community relations.

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

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to take part in today's debate. I acknowledge the contributions from all Members who spoke, and I particularly acknowledge the attendance of the two Ministers. I also welcome the First Minister's support for the motion and the amendment.

As Members said, we are debating the twin evils of sectarianism and racism. The recent sectarian murder of Kevin McDaid, the attempted murder of Damian Fleming and the sight of the Roma families being forced from their homes indicate that we need to do more to tackle sectarianism and racist bigots. It is important to remember that peace does not translate into the absence of violence. In some ways, peace building can be an extremely difficult task, but it is a

task in which we must all take part. We must respect the rights and entitlements of everyone.

During Question Time, the deputy First Minister talked about bringing forward a framework to tackle racism, sectarianism and any other forms of prejudice, and it is important that we all work together to do that.

My colleague Alex Maskey opened the debate by voicing the need for a strategy based on equality, and called on political leaders to show direction and to set an example to others by respecting differences and welcoming and embracing diversity.

The images of families gathering their belongings and having to seek sanctuary in a local church were disgraceful, and other Members spoke about that. The sectarian killing of Kevin McDaid and its aftermath were also shameful. Alex said that some people may feel more comfortable when dealing with the evil of racism, but the evil of sectarianism exists as well, and people must also deal with it. He said that it is vital that all Members send out a positive and united message that those twin evils will not be tolerated.

Naomi Long made the point that those carrying out racist attacks do not represent the majority of people in our communities. I agree; they are a small number, but they can do untold damage and they inflicted suffering on the family of Kevin McDaid and on the Roma families who were forced to flee their homes. She said that we do not deal with division and differences well, and it is a massive challenge that must be faced.

She also mentioned the good work of groups and individuals. In my constituency of West Belfast, and in north Belfast, there are groups that work at interfaces every year to calm the feelings that run high on the issue of parades. Much good community-relations work is being done all over the North, and my colleagues, including Alex Maskey and Martina Anderson, have dealt with groups that are dealing with challenging issues.

Jim Shannon spoke about migrant workers and their contribution to society. He spoke about attacks on parades, but I was disappointed that he and some other Members did not mention by name Kevin McDaid, who was murdered several weeks ago as a result of sectarianism. I am not saying that he did not condemn that, but I feel that most of the focus today was on racist attacks and not enough on sectarianism.

Few Members mentioned the Irish Travellers, which is probably one of the communities that is most discriminated against in the North of Ireland. Jim Shannon mentioned the Travelling community and gay people, but many Members forgot to mention the Irish Travelling community.

Danny Kennedy said that attacks should be condemned not only because of the bad message that

they send out but because of the suffering that they inflict on families. He also spoke about the PSNI. However, even the PSNI acknowledged that it got it wrong on both incidences in Coleraine and south Belfast. I will not enter into an attack on the PSNI, but there are lessons to be learned.

Carmel Hanna reiterated comments that others made about the shame felt by people here when watching the scenes on television. We visited the Roma families and the McDaid family. She said that we keep repeating the mistakes of the past and that racism is the other side of sectarianism. Several Members made that point very strongly; it is a point that should be made very strongly, because racism is the other face of sectarianism. It is still about, and people need to focus on that during debates such as this. She also said that segregated housing and education must be addressed, as must the issue of flags. One can see from the news this morning that the issue of flags is raising its head again, as it does at this time every year.

Jimmy Spratt spoke about the things that happened to the Roma families and about the media perception and elected representatives. He said that elected representatives, the media and the PSNI also have a role to play, particularly in how events were portrayed. He said that the attack on the church may not have been a racist attack after all but added that we all have our parts to play in condemning such attacks.

My colleague Martina Anderson said that attacks on the Roma community are part of a mindset of intolerance and that not enough is being done to tackle bigotry. She called for political leadership, and she said that some unionist Members had failed to be as proactive as they should have been in challenging sectarianism and racism. Comments were made to and fro, but I do not wish to enter into such a debate. An onus is on all of us to show a united front, and Sinn Féin has always been at the forefront of condemning sectarianism and racism, no matter from where it comes.

Robin Newton said that recent attacks sent out a negative message, that a small number of people carried out the attacks and that strategies are needed to educate young people. He said that the setting-up of residents' groups by people who do not agree with parades through their areas is wrong. I disagree: people have the right to peaceful protest if they do not agree that a parade should go through their area.

Tom Elliott talked about respect and responsibility. He said that some groups from ethnic minority backgrounds had attacked people from the local community. I am not sure what point he was trying to make. I do not know whether he meant that that was a racist attack, in that people from ethnic minority backgrounds attacked people because they were white and Irish, or whether his point was about antisocial activity.

I acknowledge the First Minister's remarks. He unreservedly condemned all racist and sectarian attacks, and he supported the motion and the amendment. He said that such attacks are unacceptable and cannot be tolerated. He said that the individuals who carried out the attacks are not representative of the rest of society, and we all agree with him on that. He and the deputy First Minister met the Romanian ambassador, who said that he was encouraged by the level of condemnation of the attacks and by the way in which people from the local community reacted. The people in the local communities who helped the family of Kevin McDaid in Coleraine and the Roma families must be commended, along with people from the voluntary and statutory sectors.

We need a society that is based on tolerance and understanding and that embraces cultural diversity. Anna Lo made the important point that hate crime of all types must be tackled. We must understand that not only must racism and sectarianism be tackled but all forms of hate crime. People pick on other people because they are different. Those same people cannot accept that difference, and that must be tackled.

Anna Lo also said that people from ethnic minorities are very fearful and that they need leadership and action from Government to get over that fear.

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

**Ms J McCann:** I support the motion and the amendment, and I hope that the Chamber can send out a united message.

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

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

*Resolved:*

That this Assembly condemns unreservedly all racist and sectarian attacks; calls for the rights and entitlements of ethnic minorities and other vulnerable communities to be protected; commends all those voluntary and statutory agencies which assisted in the recent upheaval inflicted upon members of the Roma community in Belfast; and calls on all Departments to respond appropriately and on all political leaders to display leadership and unity of purpose in tackling all manifestations of hate crime; and calls on the Executive to publish immediately the draft Cohesion, Sharing and Integration Strategy.

## ASSEMBLY BUSINESS

**Mr McGlone:** On a point of order, Mr Deputy Speaker. Unfortunately, I was not in the Chamber when the present Minister of the Environment made some remarks about me that I consider to be unparliamentary. I deeply resent those remarks and the fact that they were made in the manner that they were in this House. I ask that any remarks of an unparliamentary nature and when language has been used that questions the honesty or integrity of another Member, should be referred to the Speaker's Office for further investigation. The Hansard report will show the detail of those remarks.

5.15 pm

**Mr Deputy Speaker:** I will ask the Speaker to read those remarks in the Hansard report and to report back to the Assembly.

*Motion made:*

That this Assembly do now adjourn. — [*Mr Deputy Speaker:*]

## ADJOURNMENT

### **Impact of the Falling Maintenance Budget on Rural Roads in Fermanagh and South Tyrone**

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes. All other Members who wish to speak will have approximately 10 minutes.

**Mr Gallagher:** The Adjournment topic is the declining budget for roads maintenance in Fermanagh and South Tyrone, which, as Members know, is the most westerly constituency. I notice that the Minister for Regional Development has joined Members for the debate. I am sure that he will listen and may well respond later.

In previous Assembly debates in which Fermanagh and South Tyrone has been discussed, two issues are always highest on the list of priorities: employment and roads. It is no surprise that roads are a priority in an area that has no railways and is poorly served by public transport. Due to heavy reliance on cars, therefore, especially in Fermanagh, the state of the roads is a major issue for local communities. The great majority of the working population travel daily to towns such as Enniskillen and Omagh. People must make round trips of 40 miles or more.

Over the past 10 years, the condition of the roads has deteriorated badly. From time to time, I visit local offices to talk to staff about problems with the maintenance of the road network. I refer to the Department for Regional Development's (DRD) figures for recent years, which show that spending on structural maintenance in County Fermanagh in the financial year 2003-04 was £3.48 million. In 2005, it was down to £2.4 million. In 2006, it was down to £2.05 million. In 2007, it was £2.16 million. In 2008, it was £2.14 million. Although there had been a steady decline in spending throughout those years, there was a marked drop in the most recent financial year, which ended in March 2009, and was down to £1.49 million.

For rural communities, the issue, of course, is not simply about access to employment, it is about access to health services, hospital services, education facilities and, nowadays, banks and post offices. Access to those services is a big challenge. There is growing anger and frustration among local people about the decline in the state of the road network. They are angry that the issue, which is so important to many people, does not get the attention that it deserves from the Department

for Regional Development. I have given the figures for the past six years to underpin the anger that is relayed to me and to other elected representatives.

Unrepaired potholes are a common cause of serious damage to new and old vehicles, regardless of their age. On almost a weekly basis, I receive a complaint in my office about a car that has hit a pothole or a rut in a road. Often, the complaint is accompanied by photographic evidence of damage and, indeed, of cavern-like potholes along some of the roads.

In 2008, the impact of potholes on cars was highlighted after a UK-wide survey was conducted by Warranty Direct. Its report found that potholes caused one in every three cases of mechanical failure in cars. The average cost of repairing the damage to the car was £285. As I said, that was a UK-wide report and the figure is a UK average. However, I have no doubt that the average for Fermanagh and South Tyrone for that kind of problem is considerably higher, due to the poor state of its roads.

The Department's failure to maintain rural roads is an example of a policy that is penny wise and pound foolish. The cost of repairing roads that have fallen into disrepair will be a much greater strain on the public purse. What is of more importance is that the roads are dangerous and the rate of accidents and deaths, as has been clearly stated in several reports, is higher than the average in border areas.

There is one further issue: equality. Road users in Fermanagh and South Tyrone contribute to the regional rate and they pay their motor taxes; we are therefore entitled to have roads that are well maintained and safe for all who use them.

**Lord Morrow:** I welcome this important debate on the roads infrastructure and conditions in Fermanagh and South Tyrone, and Mr Gallagher is to be congratulated for securing it.

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

As a Member for the constituency, I am acutely aware of the impact of poor road maintenance and inadequate roads infrastructure. I have often voiced my concerns in the House at the attitudes shown to issues in the west of the Province. Those of us who come from the west are accused by our colleagues of being whingers, but, at times, our whinging is justified. There is a perception abroad that the west does not get its fair share in the allocation of funding and, therefore, the whinge will continue until we are content that we are getting our fair share.

For too long, we have been treated as poor relations in comparison to our counterparts in the rest of the Province and, in particular, to those in the east. That also applies to roads infrastructure. I would be remiss

in my duty as an MLA if I did not highlight that; I feel that that is the way.

Roads are vital arteries to all areas and communities. Whether major routes or country by-ways, they must be fit for purpose and able to sustain the relevant traffic volume. We look to roads not just for general to-and-fro traffic as citizens but for the provision of goods, emergency responses and access to other services. With so much influential traffic affecting every single person in some way, roads must be maintained to the highest specifications and standards. Second-best or patch repairs are simply not good enough. Fermanagh and South Tyrone demands its right: sound, high-grade infrastructure, locally and on a wider spectrum.

That said, I am delighted to say that it is not all doom and gloom. We can get into the rut of feeling that absolutely nothing is happening or will happen, but it is right to acknowledge some of the things that have been happening. I refer to the much-needed and long-overdue dualling of the A4 from Moygashel to the Ballygawley roundabout; it is good to see it making progress, and I hope that it will be completed on time and on schedule. There has been work on the A32, the Cherry Mount Link Road. That is another scheme that has been in the offing for a long time; nevertheless, we recognise that it is moving on. There is also realignment of the A4 at Annaghilla, which, I understand, will probably be operational by the autumn of this year if everything goes according to plan. It is a scheme that must be welcomed and one that will be extremely beneficial to the west. It will certainly open up a good road and take out of existence a very bad stretch of road through the Clogher Valley. The A4 Henry Street in Enniskillen has been successfully widened and is in use. Again, I place on record my acknowledgment of that.

Another scheme has been long in the offing. In another life, I negotiated land settlements, including for land near the Carland Bridge Road, with which I am sure Members are familiar. Although that road is not strictly in South Tyrone, it is close enough that it makes no difference; in fact, at one time, it was considered part of that area.

The Carland Bridge scheme has been on the books since the mid-70s. I recall Roads Service saying that that scheme was imminent when I was negotiating on behalf of clients for the acquisition of land. More than 30 years later, I do not think that that work has even been started. However, at long last, I understand that the plans are at a fairly advanced stage, and I hope that we will see movement there soon.

I appreciate the Minister's attendance, and I look forward to hearing his comments in response to the debate. Will he provide an update on the provision of a



distributor road for Dungannon town? Provision was made for that in the Dungannon town plan and then, all of a sudden, it simply disappeared. At the time, the local council and others were looking for a distributor road to reduce congestion in Dungannon town, but, alas, it has disappeared. It was known as the eastern distributor road. Some of us were not particular about whether the road was going either east or west. However, we were particular about the fact it should distribute traffic in Dungannon. I will be happy if the Minister corrects me by telling me that I have got that wrong and that that is at an advanced stage.

The Enniskillen southern bypass is also under review. County Fermanagh can arguably boast a major tourism initiative. However, that important aspect of its roads system is still only at the review stage. Will the Minister furnish us with an update on that project and where exactly it rests?

Similarly, Fivemiletown, which is an important town that is nestled on the edge of Tyrone and is the gateway to Fermanagh, is only now being considered for a bypass. Again, we look forward to the Minister telling us exactly what stage the plans are at and when the work will commence. That is another vital part of the road network in the west.

Although those major schemes are under review, with the hope of proceeding, it must be accepted that a number of minor roads are in a very poor condition. Mr Gallagher spoke about the incidences of cars slumping into potholes, and I have had heard of similar experiences. Motorists who seek compensation from Roads Service are often told that they cannot have it because an inspection that was carried out on such and such a date allegedly gives Roads Service a way out. It, therefore, feels that it does not have to bear the responsibility for compensating such motorists.

Mr Gallagher is right to say that we can all cite examples of constituents who have shown us photographs, including the date and time that they were taken, of damage caused to their cars on the roads. Recently, in the Killyman area, a pothole caused hundreds of pounds worth of damage to a man's car. However, Roads Service felt that it is was not its responsibility to compensate that motorist. Although I disagreed, its line of thought prevailed.

In January, I asked the Minister to provide figures for the number of compensation claims that Roads Service paid out for vehicle damage on County Fermanagh roads in each of the past financial years from 2003 to 2008. The answers were quite alarming. Although I accept that the DRD portfolio was not with the current Minister over that period, the claims were disproportionately high. The average number of claims processed from 2003 to 2008 works out at 75. The lowest number of

claims was 68 in 2005-06, and the peak was 88 in 2007-08.

If that is compared with the cost of repairing the damage, one will be able to estimate the severity of the damage caused to vehicles by roads in County Fermanagh. I stress that those figures are just for County Fermanagh. In the five-year period between 2003 and 2008, the total amount claimed was more than £31,000, and the highest payout — £7,752 — was in 2003-04, followed closely by 2007-08. The balance is almost £2,000 more than the cost of one year's routine maintenance works on roads across Northern Ireland.

### 5.30 pm

Investment in roads in Fermanagh and South Tyrone is a matter of necessity, and I trust that the Minister will accept that. Among other things, urgent investment in roads is needed in order to avoid such high compensation claims. As a result of this debate, I trust that we will see a different approach to the road infrastructure in Fermanagh and South Tyrone. I look forward to hearing the Minister's response.

**Ms Gildernew:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate. I have raised the issue of rural roads in Fermanagh and South Tyrone consistently with the Minister, and I am pleased that he has accepted an invitation to visit that constituency to see some of the roads that we are talking about and the problems associated with them. That visit will give us a chance to discuss issues pertaining to the roads infrastructure. I welcome the Minister's acceptance that there are challenges in my constituency that need to be addressed.

Members and, indeed, the Minister are aware that there are areas in Fermanagh and South Tyrone, such as Brookeborough, Belcoo and Derrygonnelly, which suffered for decades under direct rule from ongoing neglect and a lack of investment in roads infrastructure and maintenance. One of the starkest images I saw of that was during a presentation from InterTradeIreland that we received in the second mandate. We were shown maps of Ireland, the roads infrastructure and where investment had gone; it was clear that jobs followed roads. Taking that trend to its logical conclusion, it was going to be very difficult to attract investment to Fermanagh and South Tyrone, because of the lack of infrastructure in the constituency. At that time, we were concerned by the lack of infrastructure investment in Fermanagh and South Tyrone.

Fortunately, the present Minister, Conor Murphy, has recognised the challenges and needs of rural constituencies and has attempted to put right some of the wrongs that were inflicted on my constituency. I ask the Minister whether he accepts that the knock-on effects of not maintaining roads are serious maintenance issues that can lead to much more money needing to be spent on

roads that have been neglected. Will he give us a position on rural roads in general and the ongoing maintenance work?

In Fermanagh and South Tyrone, quite a bit of work has been done over the past two years and money has been secured that will, I hope, make a difference. The Minister recently announced an investment of £7 million in the Fermanagh District Council area to mitigate some of the difficulties that we have experienced. The Minister has been at the forefront in raising the issue, at ministerial level, of roads infrastructure and maintenance not only in Fermanagh and South Tyrone but across the Six Counties; we welcome that. Other Members mentioned some examples of good work, and Maurice Morrow gave a significant list, which I will not repeat. As I drive through the constituency, particularly on the A4, I can see the scale of the ongoing work.

The road from Ballygawley that leads into Carrickmore, which the Minister has visited and seen at first hand, is in a particularly bad condition. I hit the biggest pothole that I have hit in a long time on that road; there are some bad roads in Fermanagh but they are equally as bad in Tyrone.

I know that the reclassification of that road is an issue, and I want to ask the Minister whether there are any plans to resurface or upgrade it. It is used by traffic coming from mid-Ulster and going to Aughnacloy and the border, and quite a bit of construction work is ongoing.

Rural roads are often narrow and winding; they may need more maintenance, and, as a result, can be dangerous to walk on. We cannot expect the Minister to have resolved all the problems in Fermanagh and South Tyrone in the short period in which he has been in office, but we have to look at the needs of rural communities. That is something that I have raised in the past, with specific reference to the need to ensure that rural roads get a fair and equitable share of funding.

Those Members who have travelled on the back roads, particularly around Lough Erne, will know that the ground there is boggy and wet, and that those roads were obviously never piled. I have used the back roads from Lisnaskea to Derrylin to avoid the worst of the traffic. Having done so while pregnant, I advise Members that they should not go much faster than 40 mph, because they would not come out of it very well.

The fact is that the roads infrastructure in the past was inadequate, so that now we are trying to fix roads that were built on bog and are always going to be difficult to maintain to any kind of standard. Notwithstanding that, maintenance still has to be done, and it must be done throughout Fermanagh and South Tyrone for the benefit of rural road users who are travelling through the constituency or who live in it.

The Minister has other projects in the pipeline, which I welcome. It would be remiss of me not to use this

opportunity for a plug; if the Minister has a few pounds going spare at the end of the year, we would like some spent on the Cornamucklagh Road in Augher. There are roads outside the big projects that, if they were improved, would make a huge difference to the people who live in the communities that those roads serve. We would appreciate as much effort as possible being put into roads in our constituency.

We have suffered in the past because roads were built and maintained in the east while we were forgotten about west of the Bann and in Fermanagh and South Tyrone. I hope that the Minister will continue to do the good work that he has already undertaken, and that he will carry out the big infrastructure projects that he is planning, such as the southern bypass. I know that he has appointed consultants to commence route selection for that. We want to encourage people not just to continue to live in Fermanagh and South Tyrone, but to visit and to stay there to set up their businesses. Fermanagh and South Tyrone relies heavily on the indigenous SME sector, and although it will never be overly attractive to foreign direct investment — indeed, that might bring more problems than it is worth these days — we need a decent roads infrastructure in the constituency so that we can maintain the level of jobs that we have and build on those.

I welcome the debate that we have had this evening. I commend the Minister for his interest in doing what he can to improve the roads infrastructure in the constituency, and I look forward to hearing what he has to say about that. Go raibh míle maith agat, a LeasCheann Comhairle.

**Mr Elliott:** I thank Mr Gallagher for securing this debate. Ms Gildernew highlighted two roads in particular, one between Ballygawley and Carrickmore and another in Augher. I will not start to name individual roads, or we will be here all evening. There are so many roads in Fermanagh and South Tyrone that are badly in need of repair that if we started to name them we would not get through the debate.

I note that in the past year, and in the past few months in particular, hardly any requests have been made for speed ramps or traffic-calming measures in the constituency.

I assume that that is because we have in-built traffic-calming measures on nearly all our roads: they are called potholes. Nearly every road has huge potholes that slow drivers down automatically without the need for speed-ramps. Some areas are in such a serious state that roads are falling away. I understand that over the past two winters, Roads Service has been on the verge of having to close some roads because they were in such a poor condition.

Mr Gallagher highlighted some spending figures; I am not sure whether they relate to Fermanagh and South Tyrone or just Fermanagh.

**Mr Gallagher:** They are for Fermanagh.

**Mr Elliott:** They give me serious concern. Mr Gallagher said that in 2004, £3.48 million was spent on Fermanagh's roads; in the year up to 2009, that spend fell to £1.4 million, a drop of 57%. The figures for spend on Northern Ireland's roads that I obtained from the Minister in March indicate that in the year ending 2004, £82.8 million was spent and in the year ending 2009 £59 million was spent; that is a drop of 29%. Fermanagh's drop has been one of 57%, whereas the overall drop in Northern Ireland spend has been only 29%. There is a huge and serious imbalance in the drop in spend in Fermanagh compared with other areas. I ask the Minister to look very carefully at that.

According to the Northern Ireland road structural figures for year-end 2008, £77.3 million was spent, and there was a drop of 24% to £59 million this year. That is a drop of 24%, but in Fermanagh, that represents a drop of 30%. That is a huge difference, and I ask the Minister to look directly at it.

5.45 pm

Ms Gildernew said that we suffered from many years of lack of investment under direct rule. I agree, but let us not forget that 2003-04 had the highest spend in the past few years. We were not under devolution at that stage; we were under direct rule. Last year, up to 2009, those figures dropped throughout Northern Ireland to £59 million, and in Fermanagh, as Mr Gallagher said, they dropped to £1.49 million. That happened under devolution. I do not want people to think that just because we came out of direct rule badly we are doing much better under devolution. It appears, from these figures, that the opposite is the case.

I would like to highlight the A32, the Omagh to Enniskillen road. Lord Morrow dealt with other issues, which I will not go over again. However, due to the building of the new acute hospital in Fermanagh, it is vital that that road be upgraded as soon as possible. A couple of schemes are under way, but they are not enough.

One part of the A32, between Mossfield and Trory roundabout, has developed cracks that are so bad that the Roads Service has had to pour concrete directly into them. That is not acceptable on an A road; that is not reasonable maintenance by Roads Service. I ask the Minister to look directly at that.

The Bain Report on the decentralisation of jobs did not recommend the decentralising of jobs to Enniskillen because of its poor infrastructure. Roads are a key factor in that. I would not like to think that we in the west will be discriminated against because of poor road infrastructure. I ask the Minister to look at that urgently.

There is also a lack of a reasonable public transport system in Fermanagh and South Tyrone. We rely totally on the roads; even the bus service needs the roads. We do not have a train service, unlike many other parts of the Province. There is a crying need for additional road spend.

**Mr McHugh:** Go raibh maith agat, a LeasCheann Comhairle. I, too, thank Tommy Gallagher for securing the debate, the subject of which is one of the biggest issues for our county. Mr Gallagher mentioned anger, and there is certainly considerable anger among local people about the roads. Indeed, there is no greater issue at present for people from that area than the roads. Given that many tourists come to the area from the South on shopping trips, it would be a poor thing if we became known as the county with the bad roads.

Although the Minister will probably tell us how much is spent on road maintenance in the region, anyone who drives to Fermanagh from Ballymena or anywhere else will tell you that they hit more potholes in Fermanagh and parts of south Tyrone than in any other part of the North. That is a fact. One wonders just how long it will take for us to catch up bringing our road surfaces to what they were five, six or 10 years ago. All roads, including minor roads, are in a poor condition.

Michelle Gildernew mentioned some of the bog roads. One in particular that I believe that she was talking about was the Annaghally Road. I assure you that you would need to be heading towards the A&E and not towards Derrylin if you were doing 40 mph on that road; it is an absolute pit. However, it is still a much-used artery, and it is just one example a road that is in such a condition. I could mention an awful lot of those roads, such as those in Wattlebridge or even in parts of Derrygonnelly. However, that would take all night.

The issue is the roads budget and whether it is reducing each year on year. Is that what we are faced with? Are we expected to lower our expectations of the type or quality of road surface on which people are driving? People have very expensive cars nowadays, and they are not driving the old bangers that they did 20 years ago. Therefore, they expect better. Everyone's cars have alloy wheels, so people are having to replace two at a time as a result of driving into some potholes. In the winter when the roads are wet, it is not possible for people to see the potholes until they are over them and the damage has been done.

Adding to our difficulties is the fact that we have a poor structure underneath the roads, which is not the case in the better areas or counties. Therefore, the break-up of the roads will be a total break-up that could occur over a couple of years. What happens then? Will the measly amount that we are allocated for



surface dressing ever be able to handle that sort of total disintegration?

There is a good stretch of road outside Fivemiletown/Brookeborough, but I believe that that is due for an overhaul similar to that which was done on the road at Tamlaght, near Enniskillen, which was a tremendous job. Some local councillors criticised it, but it was a very good job and the work was done quickly. That was the case with the entire A4 dualling, which was carried out efficiently and with little disruption. Those who carried out that work with such efficiency must be commended. It was a similar case with Henry Street in Enniskillen. That scheme confounded many who believed that it would not solve the traffic problems, when, in fact, it seems to have solved them completely, at least in that part of the town. Therefore, some tremendous things are happening.

I also thank the Minister for bringing the southern bypass to at least its early stages. The southern bypass should be part of the Sligo/Enniskillen/Augher connection. The Dundalk route is the most economical and sensible North/South route to develop, given that the Cavan/Aghalane route would be vastly more expensive. I do not know whether that route is being pushed, but it would be better than some of those that have been suggested. Perhaps the Minister would examine that suggestion, or even comment on it.

Fermanagh is the gateway county for quite a number of areas that receive cross-border traffic, some of which can be very heavy. Heavy goods vehicles, some of which are bound for Larne, travel from Galway, Sligo and Dublin.

Therefore, the new road will become a connecting artery for Larne traffic. It is difficult for a lot of those people to make deliveries on time. Business is dependent on good roads, and, as has been mentioned, jobs follow good roads.

Fermanagh makes quite an input to tourism, and the quality of journeys into the county will be greatly improved by the new dual carriageway. However, it is important that people also have a decent trip when they are in the county. Over the next few years, we cannot continue with the roads as they are. We cannot continue to fight to get potholes in our local areas fixed in small dribs and drabs. I do not know how the situation can be improved unless the budget is raised to new levels. There were negotiations in which extra money for roads was mentioned, but that has not been forthcoming.

Some good work has been done, such as the Safer Routes to Schools programme, and there is a lot more that can be done in relation to schools. Many children routinely stay at school until 6.00 pm a couple of days a week. It is often totally dark at 6.00 pm, and drivers need to be better informed that children may be leaving school at that time. Furthermore, I do not know how

anyone could cycle on the roads in their current state. There is a long way to go, but I recognise the good work that has been done in recent years.

**The Minister for Regional Development (Mr Murphy):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to discuss the maintenance budget for rural roads in Fermanagh and South Tyrone. Inevitably, a number of issues have been mentioned during the debate. I can respond to some of those from my own knowledge. For those issues that relate to smaller local roads and local matters, I will ask my officials to study the Hansard report and make my response in due course. Some of the budget figures that were quoted do not match the figures that I have. I will endeavour to have those figures tested and respond to people if my figures, or theirs, are proved inaccurate.

Maintaining the surfaces and underlying structures of the roads and footways is essential for the social and economic well-being of the North, and it is a high priority for Roads Service. All of the Department for Regional Development's programmes are under-resourced, and there is no painless solution. The good news is that, from the capital side of the Budget, the roads network will benefit from some £612 million of investment over the three years to 2010-11. That will result in a significant increase in the size of the motorway and dual-carriageway network, which will help to reduce journey times and improve access to urban centres and rural regions.

The ISNI proposals for roads are for investment in excess of £3.1 billion over the 10-year period, including a £400 million contribution from the South for the upgrading of the A5 Derry to Aughnacloy road. That represents a significant increase above the levels that are envisaged in the regional transportation strategy and in the scale of capital investment that is being delivered by Roads Service. The majority of the ISNI investment is earmarked for strategic road improvements on key transport corridors.

Roads Service has consistently given structural maintenance the highest priority and kept other maintenance to a sensible minimum. The Budget that was announced on 22 January 2008 provided structural-maintenance funding of some £56.3 million, £71.8 million and £70.4 million a year during the three-year Budget period, which totals almost £200 million. However, it is accepted that that is around £125 million less than the levels that are recommended by the structural maintenance funding plan across the Budget period of 2008-2011. The out-turn for structural maintenance in 2008-09 was £63 million. Comparative initial allocation figures for the period 2005-06 to 2007-08 were £60.5 million, £45.8 million and £59.7 million respectively. However, successful in-year bidding resulted in out-turns for those years of £70.5 million, £65.6 million and



£77.3 million, with a significant portion allocated late in each financial year.

As Members will be aware, Roads Service prepares annual work programmes that cover the development and maintenance of the network and reflect the availability of finances. The work programmes for 2009-2010 have been finalised and, in most cases, presented to the respective district council at the spring meetings attended by Roads Service managers.

I should explain that, in distributing the resources available for road maintenance, allocations are made to the four divisions of Roads Service on the basis of need, using a range of weighted indicators that are tailored to each maintenance activity. Divisions use the indicators when apportioning money across council areas to ensure, as far as possible, an equitable distribution of funds throughout the North. I can, therefore, assure the Member who secured the debate and others who have spoken that his constituency received its fair share of the budget for road maintenance.

The two Roads Service sections whose boundaries closely match those of Fermanagh District Council and Dungannon and South Tyrone Borough Council received a budget of £8.122 million for this financial year. That represents 11.5% of the total structural maintenance budget that is available to Roads Service in 2009-2010. As only 6.3% of the population resides in the combined district council areas, the spend per head is approximately 75% above the average in the North. However, that is understandable, because the combined road network in the two areas represents 13.5% of Roads Service's total.

As I previously explained to Members, resurfacing is generally undertaken on the basis of priorities that reflect a road's structural condition and traffic volume. Safety is always the top priority and, therefore, a system of regular inspection by Roads Service is in place to ensure that essential response maintenance is identified and completed as necessary. The key public-safety issue is the repair of defects, and Roads Service has a good track record of meeting the defect response and repair targets that are recognised by the courts in public-liability cases.

Over the past few years, Roads Service has made a considerable effort to resurface and strengthen the main traffic routes across the North, particularly the strategic road network that links the more heavily populated urban areas. It is always the case that, if more funding were available, more resurfacing work could be carried out. In the past three years, the funding for structural maintenance has been more than £50 million short of the level recommended in the regional transportation strategy. However, it is important to consider the situation in the context of correctly managing the overall budget for the North,

and that involves assessing competing priorities and making decisions.

In the past three years, a total of £974.1 million was spent on developing and maintaining the road network in the North. Some £531 million was invested in revenue activities, including maintenance, and a further £442.9 million was spent on capital projects.

The investment strategy envisages that, subject to the availability of resources in future Budget rounds, economic appraisals and statutory approvals, some £3.1 billion will be invested in road improvements by 2018. In the three years to the end of March 2011, just over £200 million will have been invested in the structural maintenance of roads. I assure Members that Roads Service will continue, as part of the in-year monitoring process, to make strong bids for additional funding for structural maintenance.

One downside of being a devolved Administration and having full-time Ministers is that the spend of each Department has improved significantly this year. As a result, the amount of money returned to the system at the latter end of the financial year, from which Roads Service traditionally benefited, has been lower than in previous years. The effect of improved spending is that Roads Service does not benefit from the lack of spending by other Departments.

Roads Service has commissioned an important report on the structural maintenance of roads and the required level of funding. That report will help to inform financial planning and is due to be complete by the end of September 2009.

The entire House will agree that maintaining the surfaces and underlying structures of the roads and footways is essential to the social and economic well-being of the North. When the time comes, I hope that Members will support bids my Department's bids for additional funds for structural maintenance.

I have no problem with debating the issue, and I agree that additional funding is required for structural maintenance. However, the Member who secured the debate belongs to the party that proposed that the Budget be redrafted, but the only two areas that it wanted to receive additional funding were social housing, and training and upskilling. The only way that could have been done was by taking money from other Departments, which, in effect, could have meant less money for the structural maintenance of roads.

When Members argue for more money and resources to be allocated to one particular area, they must ensure that their arguments are consistent. They should not put forward alternative proposals that would result in other Departments receiving less money.

The figures illustrate that the issue of equality has been addressed. In the course of the debate, Maurice

Morrow raised several issues connected to the general sense in the west of feeling under-resourced.

When I took up office, I very clearly stated that one of the tasks ahead of me was to rebalance our infrastructure spend between east and west. I certainly intend to pursue that, and I recognise that there has been an imbalance in infrastructure over the years. Some of the biggest road-building projects that we now undertake are in the west.

6.00 pm

The Member mentioned the roadworks on the Cherrymount Link and A4 Annaghilla Road. The work at Henry Street in Enniskillen was also mentioned by Gerry McHugh. As far as Carland bridge is concerned, I cannot account for the past 30 years. However, although there was some further delay in relation to legal issues around the contract for that scheme, I am reliably told that the project is very imminent. I have recently driven through the area and I have seen that some preparatory work has started for the scheme. I recognise that it is a very bad bend on the road between Dungannon and Cookstown, and the work is long overdue.

From my memory, I do not think that the Dungannon distributor road is on the cards, but I will ask officials to provide an update on the matter. Maurice Morrow also mentioned the Enniskillen and Fivemiletown bypasses, and Gerry McHugh acknowledged that they are now on the preparatory list. Consultants have already looked at some route options for the Enniskillen bypass, so work in relation to those two schemes is identified in the forward plans for the Department. Consultants have already begun the necessary forward planning for those projects. In relation to some of the other issues that he raised, I will certainly examine the Hansard report and come back to him.

Michelle Gildernew raised the issue of the ongoing effects of underinvestment in structural maintenance. Unless we secure the finances that are required, there is no doubt that that will continue to be an issue. That is why Roads Service has commissioned a report to support the case for securing the necessary finances. The consequence is that the cost would increase in the long term and the quality of the roads would deteriorate further. Increased patching would be required, but that is not a good-practice solution, because patching costs around three times as much as resurfacing. In more serious cases, road foundations can fail and reconstruction can be required at a cost of around five times that of a simple resurfacing scheme. The arguments are all accepted and advanced by Roads Service in relation to trying to secure greater budgets for structural maintenance.

Some rural roads that, effectively, were built for horses and carts are now taking very large agricultural machinery and HGVs. The roads were never built to cope with that, and the sheer volume of traffic has also

increased. Roads are trying to cope with conditions for which they were not built, and they are clearly struggling. Unless we secure sufficient money for the maintenance budget, those roads will continue to deteriorate.

Ms Gildernew also mentioned the Ballygawley to Carrickmore road. I have visited that road and seen its condition for myself. I understand that some work was planned for that road, but I do not have all of the detail. However, I will get a response to her in relation to that.

Thankfully, Tom Elliott did not name all of the bad roads in Fermanagh. Kieran McCarthy and Jim Shannon quite often outdo each other by naming all of the bad roads on the Ards Peninsula. He raised issues about the spend figures, which I will certainly have examined. If there is some inaccuracy, or, indeed, if they are correct, we will certainly come back to him.

He also raised the issue of the Omagh to Enniskillen road, for which works are planned. I appreciate that he thinks that more work should be planned for that road. However, substantial works are planned because it is recognised that the new Erne acute hospital will have a significant impact. That is one road that merits future attention, because the issue of Omagh versus Enniskillen is always a very touchy one. I will not have to remind the people who represent that particular part of the world of that fact. However, the better the connections between the two towns, the easier it will be to manage the services between them.

The Member also mentioned the lack of a train service. Again, I agree with him. Obviously, that decision was taken way back in the 1950s by a party that is closer to his own heart than mine, but, nonetheless, it is the system with which we have ended up. It leaves Fermanagh, in particular, very reliant on the roads.

Gerry McHugh raised an issue that many people in here raise. If he attends enough debates, he will hear Members from all over saying that they have the worst roads in the country. I have been on an awful lot of country roads right across the North, and Fermanagh is no better or no worse than other places. I have been on bad roads in County Antrim around Ballymena as well as very bad roads in Fermanagh. South Armagh, the area in which I live and that I represent, also has its share of bad roads.

The councils delivered a presentation to us in Fermanagh about the Sligo to Belfast route. I have raised it with my opposite number, the Minister for Transport in the South, in discussions at North/South Ministerial Council meetings in transport sectoral format. The matter was raised at an engagement that I was at in the Dáil last week, when members of the IBEC-CBI Joint Business Council identified the route as very important to future development. Therefore, the Sligo to Belfast route is on the agenda, it is being talked about and the need for an upgrade is recognised.

Of course, there is a question about when resources will enable that to happen. However, the route is acknowledged as one of the key links across the country.

Mr Elliott also mentioned issues related to safer routes to schools, and I am glad that we continue to make improvements where we can.

In summary, the figures speak for themselves. We do not have enough money in the structural maintenance budget. If we had more, we could do more. I look forward to support from Members when these debates, particularly the Budget debates, come up again. At that stage, all the support and advice that I get throughout the year about what we should be spending can be translated into action if Members vote for greater allocations to the Roads Service budget.

*Adjourned at 6.06 pm.*





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# NORTHERN IRELAND ASSEMBLY

Tuesday 30 June 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

**Mr O'Loan:** On a point of order, Mr Deputy Speaker. Yesterday, the Speaker said:

"I have no doubt that after Thursday's Executive meeting, we will hear a statement on the June monitoring round from the Minister." — *[Official Report, Bound Volume 42, p233, col 1]*.

What arrangements have been made for the Assembly to hear a statement from the Minister of Finance and Personnel on the June monitoring round, and can you confirm whether the Business Committee has arranged to convene a special sitting of the Assembly for that purpose?

**Mr Deputy Speaker:** I have nothing to add to what the Speaker said to Members yesterday.

**Mr O'Loan:** Further to that point of order, Mr Deputy Speaker, will you confirm that you will approach the Speaker to express the desire that the Business Committee meet to seek a special sitting of the Assembly?

**Mr Deputy Speaker:** I will, of course, report your comments to the Speaker, Mr O'Loan.

## Committee Chairperson and Deputy Chairperson Changes: DUP

**Mr Deputy Speaker:** I advise Members that the Speaker has received notification of the resignations of Mrs Iris Robinson as Chairperson of the Committee for Health, Social Services and Public Safety; Mr David Simpson as Chairperson of the Committee for Social Development; Dr William McCrea as Chairperson of the Committee for Agriculture and Rural Development; Mr Robin Newton as Chairperson of the Audit Committee and as Deputy Chairperson of the Committee for Employment and Learning; Mr Jim Wells as Deputy Chairperson of the Committee for Regional Development; and Mr Simon Hamilton as Deputy Chairperson of the Committee for Finance and Personnel. All resignations will take effect from 4 July 2009.

The Democratic Unionist Party's nominating officer, the Rt Hon Peter Robinson, has nominated Mr Ian Paisley Jnr as Chairperson of the Committee for Agriculture and Rural Development; Mr Jim Wells as Chairperson of the Committee for Health, Social Services and Public Safety; Mr Simon Hamilton as Chairperson of the Committee for Social Development; Mr Peter Weir as Deputy Chairperson of the Committee for Finance and Personnel; Miss Michelle McIlveen as Deputy Chairperson of the Committee for Regional Development; Mr Thomas Buchanan as Deputy Chairperson of the Committee for Employment and Learning; and Mr Peter Weir as Chairperson of the Audit Committee. All of those nominations will take effect from 4 July 2009.

Mr Paisley Jnr, Mr Wells, Mr Hamilton, Mr Weir, Miss McIlveen and Mr Buchanan have accepted the appointments. I am satisfied that the correspondence meets the requirements of Standing Orders. Therefore, I confirm that, with effect from 4 July 2009, Mr Ian Paisley Jnr will be Chairperson of the Committee for Agriculture and Rural Development; Mr Jim Wells will be Chairperson of the Committee for Health, Social Services and Public Safety; Mr Simon Hamilton will be Chairperson of the Committee for Social Development; Mr Peter Weir will be Chairperson of the Audit Committee and Deputy Chairperson of the Committee for Finance and Personnel; Miss Michelle McIlveen will be Deputy Chairperson of the Committee for Regional Development; and Mr Thomas Buchanan will be Deputy Chairperson of the Committee for Employment and Learning.

**Mr Paisley Jnr:** On a point of order, Mr Deputy Speaker. I met with the Speaker this morning and have made him aware that I intend to raise this point of order. Yesterday, in the Chamber, one Member accused another of being, in effect, a liar when he used the unparliamentary term "seriously misleading to the Assembly." — *[Official Report, Bound Volume 42, p234, col 1]*. I have asked the Speaker

to examine the record, given his ruling of 19 November 2007 in which he ruled that the term “misleading the Assembly” or “misleading the House” is unparliamentary language, and I have asked that that language be withdrawn by Mr Declan O’Loan, the Member who made the statement about me.

I have also asked the Speaker whether he can bring a ruling expeditiously to the House regarding the use of other unparliamentary language. I was accused yesterday of unparliamentary language in my use of the words “cheapest”, “lowest”, “dirtiest”, “meanest”, “nastiest” and “cheapest possible”. This morning, I received a verbal assurance from the Speaker that my use of that terminology about Mr O’Loan was, in his words, perfectly correct and used in the proper context of parliamentary cut and thrust of debate. It is important that that is put on the record.

**Mr Deputy Speaker:** Thank you, Mr Paisley Jnr, for your point of order. The Speaker is, of course, considering your complaint and will report at a later date.

**Mr O’Loan:** On a point of order, Mr Deputy Speaker. Yesterday, I raised a point of order and brought matters to the Speaker’s attention. The Speaker said that he was considering those matters. He has yet to report back to the Assembly. Is it in order for another Member to report at second hand what he says is the view of the Speaker in relation to those matters? It does not seem to me to be in order.

**Mr Deputy Speaker:** Mr O’Loan, I am in no position to comment on that. I am aware that the Speaker is considering the points that were made to him and will report at a later date.

**Mr Attwood:** Further to that point of order, Mr Deputy Speaker. The point that my colleague Mr O’Loan made is a valid one. There is a fundamental issue about whether Members have the right to reflect to the Assembly what they say the Speaker has or has not said, based on private conversations with him outside the Chamber. That is a fundamental issue regarding the privacy of conversations that the Speaker has with Members; the accuracy of what Members then report as the Speaker’s views; and whether the House will end up being a gossip Chamber that relies on hearsay to give the Speaker’s views to the wider public.

**Mr Deputy Speaker:** Thank you, Mr Attwood, for that point of order. As I have said already, the Speaker is considering the issues at hand, and no doubt he will take a strong view on the points that you have raised. I am taking no more points of order on the issue.

## MINISTERIAL STATEMENT

### North/South Ministerial Council

#### Transport Sectoral Format

**Mr Deputy Speaker:** I have received notice from the Minister of the Environment that he wishes to make a statement about the North/South Ministerial Council (NSMC) meeting in transport sectoral format.

**The Minister of the Environment (Mr S Wilson):** In compliance with section 52 of the Northern Ireland Act 1998, I will make a report on road safety issues that were discussed at the sixth meeting of the North/South Ministerial Council in the transport sectoral format, which was held in the Curran Court Hotel, Larne on Friday 3 April 2009.

The meeting was attended by Conor Murphy MP MLA, Minister for Regional Development, and Mr Noel Dempsey TD, Minister for Transport in the Republic of Ireland. Minister Murphy reported to the Assembly on 28 April on the strategic transport issues that were discussed at the meeting.

The Council noted the progress that was achieved in reducing road deaths in 2008 on both sides of the border. In both cases, the number of road deaths was the lowest on record. It was also noted, however, that Northern Ireland and the Irish Republic still lagged some way behind the countries in Europe with the least fatalities per head of population, and we agreed that efforts to maintain progress must continue.

We noted the progress towards achieving mutual recognition of driving disqualifications and agreed that a project plan should be developed to achieve mutual recognition of penalty points within an agreed time frame. We also noted that co-operation on advertising and publicity was continuing, with the sharing of knowledge, experience and, where possible, costs. The Council also agreed that we should seek to co-ordinate our efforts to utilise new technology for advertising and publicity purposes. We agreed that progress on developing and delivering a strategic approach to improving road safety on both sides of the border should continue and that it would be monitored at ministerial level. Furthermore, it was agreed that the results of current research projects, a number of which are under way in both jurisdictions, should be shared.

The question of introducing lower blood:alcohol limits for drivers is under consideration here and in the Republic, and we agreed to consider whether there should be scope to develop a co-ordinated approach.

I am happy to take any questions on the statement. It was a worthwhile meeting, and progress has been made on both sides.

**Mr Weir:** I thank the Minister for his statement. The Minister mentioned the blood:alcohol limits. The introduction of random breath tests to combat drink-driving is one measure that has been fairly successful in the Irish Republic. Is the introduction of random breath tests in Northern Ireland being considered?

**The Minister of the Environment:** We discussed the effectiveness of random breath-testing. The Irish Republic has adopted it as a method of trying to reduce drink-driving levels, and it is one area in which we can learn from them. As I made clear in an earlier statement to the House in which I talked about reducing alcohol levels, we will consider whether random breath-testing should be introduced as part of legislation.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. I welcome the reduction in the number of road deaths across the island, but even one road death a year is too many.

How long will it take to achieve mutual recognition of driving disqualifications? I was interested in the Minister's comments about using new technology. What technology will be utilised? Will it be the Internet or social networking websites?

**The Minister of the Environment:** On the issue of mutual recognition of driving disqualifications, outside of the NMSC, one of the first meetings that I had here in Stormont was with Westminster's Minister for Transport and the Republic's Minister for Transport. That meeting was held in June or early July of last year.

Two steps must be taken in order to achieve mutual recognition of driving disqualifications. First, mutual recognition of driving disqualifications is needed for Northern Ireland and GB. That work is almost completed. Secondly, that same work must be undertaken between the UK and the Irish Republic. Ministers have also been working on that issue, and after meeting with Noel Dempsey in Larne in April, I held a further meeting with the UK Transport Minister at Westminster some four weeks ago. I can report that good progress has been made in that area.

10.45 am

It was hoped that an announcement would be made on that issue before the end of June, but given that today is the last day of June, there may be some delay in its release. However, there is recognition on both sides that people who are disqualified in Northern Ireland cannot be allowed to drive in the Republic of Ireland, and vice versa. Some legal difficulties arise in the Republic with respect to that, but we are working towards resolving them.

As far as the use of technology is concerned, several initiatives have been undertaken. I am a bit of a technophobe myself, so I hope that I name the

technology correctly. The Department has used Bluetooth technology to send text messages to people in pubs to remind them that if they are drinking alcohol that they should not drive. Another initiative that the Department has introduced is the insertion of road safety messages in racing games for games consoles, because often those who will drive fast will play those games. Therefore, the Department has sought to use new technology in different ways, and anything that the Department has employed here will be examined by the authorities in the Republic, and vice versa.

**Mr Kinahan:** I also welcome the Minister's statement, and all efforts to limit road traffic accidents.

I note that the Minister's statement refers to a meeting that took place on 3 April 2009. Does the Minister accept that he should report back to the Assembly as soon as possible, and that it is almost impossible for the House to provide any scrutiny on a meeting that occurred three months ago? Will he explain the reason for that delay to the House?

Furthermore, will he provide more detail on ongoing research projects, which he highlighted towards the end of his statement?

**The Minister of the Environment:** The Member is absolutely correct. After all the meetings of the North/South Ministerial Council in which I have been involved, I have tried to report back to the House within two weeks. That has always been done, except in this instance.

Some confusion arose as to whether the Minister for Regional Development was going to report on behalf of us both, but that joint statement did not take place and the timetable subsequently slipped. I accept the Member's point, and it is important that, when North/South meetings are held, a response be made as quickly as possible to enable the House to provide scrutiny. Therefore, I apologise that my response was not combined with the Minister for Regional Development's statement on the roads issue.

The Member also asked about research that has been undertaken. In 2009, research has been carried out in the following areas: use of mobile phones while driving; helmet wearing by cyclists and motorcyclists; the use of high-visibility clothing; pedestrian behaviour at traffic lights; wearing of seat belts; speeding rates; and the attitudinal behaviour of Irish road users. All that information is shared between the two jurisdictions, and often the Republic's findings will be no different to those here, and that prevents a duplication of research.

The Member will know my view on North/South arrangements, but where there is a mutual benefit, it is important for us to work together. By doing so, we can create significant savings to the public purse and make significant progress in dealing with a problem that does not stop at the border. Indeed, as Members from



rural areas along the border will know, accidents and death rates tend to be highest in those areas.

**Mrs D Kelly:** I must say that I am unimpressed by the statement and by the three-month delay in issuing it. The Minister might perhaps elaborate on the reasons for that three-month delay and the disagreement between Mr Murphy and himself. Can the Minister outline what efforts are being made and, in particular, what actions are being taken to reduce the number of road fatalities on the island of Ireland? We all recognise that traffic accidents are the main cause of death among the under 25s.

I want to refer specifically to the agreement that a project plan should be developed to achieve mutual recognition of penalty points within an agreed time frame. Can the Minister elaborate on what the time frame will be? The statement is largely inspirational, and although we are all very much aware of the Minister's comments on the North/South Ministerial Council, it is nonetheless one of the institutions of the Good Friday Agreement, and he has no choice but to implement its decisions.

**Mr Deputy Speaker:** Order. I call the Minister.

**The Minister of the Environment:** I am glad that the Member finds me inspirational; I think that she might have meant to say aspirational.

If the Member had listened a bit more closely, she would have heard me giving the explanations that she has asked for. I made it clear that a statement should have been made before today. I explained why that did not happen, and I think that I even apologised that it was not made sooner. I do not know what more the Member wants.

The Member asked what is being done to try to reduce road deaths. Perhaps, if she had listened to the rest of my statement, she would have found out. Let me list again the issues that we talked about: joint advertising campaigns; research that will be carried out and shared across the two sides of the border; and the action on mutual recognition of driver disqualification. I will deal with penalty points separately, because that is a longer-term issue.

I also mentioned the ongoing work. Indeed, the Minister for Regional Development, Mr Murphy, pointed out the amount of money that the Irish Republic is prepared to invest in road improvements in Northern Ireland, especially along some of the major routes. One example is the A8 in Larne, which, because it has not been dualled, has experienced difficulties and has been the scene of accidents caused by people overtaking at bad spots. I know that the Members for East Antrim will be reassured that, despite the economic difficulties in the Irish Republic, Mr Dempsey has given an assurance that the money that was promised for those road improvements will be made available. We are also

looking at the reduction of drink-drive limits. Had the Member been listening, she would have realised that all that information was in the statement and perhaps she would have heard the answers to her questions.

As far as the mutual recognition of penalty points is concerned, that is a longer-term project. I cannot give a completion date for a number of reasons. There are different methods of allocating penalty points in the two jurisdictions, and, if we are to have mutual recognition of penalty points, they must be applied equally. For example, if one jurisdiction has a harsher regime than another, people should not be disadvantaged by receiving penalty points in one place that they would not receive elsewhere. That requires legislative change; the Northern Ireland Government and the Government in the Republic both accept that work needs to be done on that matter. Indeed, given that there are some differences between the systems in other parts of the United Kingdom, more work probably needs to be done there, too.

We must first identify some of the issues more precisely, and then we will have to make the necessary changes to the legislation and create the necessary legal powers. Again, that is more of a difficulty for the Irish Republic than for us; they have difficulty in sharing some data because of constitutional reasons. Those issues must be addressed as well.

Although I have discussed the matter on three occasions with the Minister for Transport in the Republic and the UK Transport Minister, I cannot see a quick resolution of the situation. However, I recognise the Member's point, and we should work towards that.

**Mr B Wilson:** Unfortunately, as Members pointed out, the Minister's statement is a bit vague and woolly and does not contain much substance. Nevertheless, the Minister has clarified a number of points. I want to talk about the number of deaths on the roads. There is some complacency —

**Mr Deputy Speaker:** Order, order. The Minister is taking questions. May we have a question, Mr Wilson?

**Mr B Wilson:** I am sorry; I am coming to the question. There is some complacency about road deaths. The death rate has gone up in border areas and in rural areas, and I am concerned that that trend may continue. What progress has been made to introduce lower blood:alcohol limits? Has there been any success in that area?

**The Minister of the Environment:** Nobody does vague and woolly better than the Member who has just spoken.

We discussed the issue of road deaths in border areas because that is recognised as a problem, especially people driving too fast on roads that are unsuitable for speed. The mutual recognition of driving



disqualifications would help. That would mean that people who are disqualified in the Republic could not come into Northern Ireland and drive recklessly, and vice versa. That situation will tighten up.

We also talked about identifying those problematic points along the border to which the police and the guards need to give more constant attention. The issue of the reduction in blood:alcohol limits is out for public consultation. When I launched the proposals, the public reaction was, by and large, very positive. I do not think that there will be any difficulty in getting public approval for the proposals. The legislation will be drafted in the autumn and worked on in Northern Ireland, and I hope that that will work apace with what happens in the Republic.

**Mr Shannon:** Contrary to other Members' contributions, I welcome the Minister's statement, which includes many important issues. The Minister referred to road traffic accidents. What is being done to reduce the spate of recent tragic deaths, particularly those involving motorbikes? Minister Conor Murphy was also present at the meeting. What consideration has been given to co-ordination between the Department of the Environment and the Department for Regional Development regarding road safety, given that road conditions are partly responsible for those accidents? Has the Minister any indication of the content of the joint advertising campaign or when it will take place?

The Minister's statement referred to alcohol, but there is no mention of drugs. Has any consideration been given to that issue?

**The Minister of the Environment:** We are not anticipating a joint advertising campaign: it is under way. About five weeks ago, a surgeon from Donegal and I launched the "Crashed Lives" advertising campaign in the Long Gallery. The surgeon spoke about his experiences of badly injured patients being admitted to hospital in Donegal. He spoke very movingly about having to break the news to relatives. Some Members attended the launch, and it was a very powerful advertisement. The message must come across that when people drive recklessly on the roads, they not only wreck the lives of those who have been injured but the lives of the families of those who have been injured or killed.

11.00 am

We have undertaken a number of joint advertising campaigns. Of course, the good thing is that the fixed cost of making the advertisement is shared between the authorities in the Republic and those here. That helps to reduce our advertising budget, and it gives us more leverage for the money that we have spent.

When the North West 200 was going on, I launched an advertising campaign that was aimed at making car drivers more aware of motorcyclists. Motorists often

almost blame motorcyclists when they hit them. For example, they say that they did not see them coming and that they appeared out of nowhere. It is almost as though it were the motorcyclist's fault. Recently, my Department also launched an advertising campaign on drug driving. However, all the issues that the Member raised have been addressed through the advertising strategy.

The Minister for Regional Development can answer for himself. Indeed, he has done so; I have heard him speak in the Assembly about the need to improve the state of some minor roads in Northern Ireland. Research has shown that the state of the road fabric itself is one factor that leads to accidents. Many minor roads need a great deal of repair, and the Minister has addressed that on a number of occasions already.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil leis an Aire as ucht a ráitis agus as ucht na tuarascála ar an chruinniú ina thoghcheantar féin.

I thank the Minister for his statement on the report of the meeting that took place in his constituency.

**A Member:** Are you sure? Did you get that right?

**Mr McElduff:** Aye.

Does the Minister agree that one contributory factor to confusion and road danger in the border corridor area is the fact that, in the North, speed limits are denoted in miles per hour, whereas in the South, they are denoted in kilometres per hour? Does he agree that there is a case for exploring the merits of having a single, co-ordinated approach and that, perhaps, it is high time for the North to go metric with speed limits?

**The Minister of the Environment:** I know that the Member may like to go metric and that he may be a bit of a Europhile: I do not know, perhaps his party has changed its stance on that. Following his logic, if speed limits in Northern Ireland are in miles per hour, and in the Republic, they are in kilometres per hour, one would expect that people would go slower in the Republic, because, of course, the miles per hour limit is much lower than the kilometres per hour limit. If the Member wishes to know how they can be converted, he should multiply the number of miles per hour by 1.6. I am not sure that the difference is a contributory factor, but I admire the Member's attempt to try to make us go metric. However, I assure him that I will become a metric martyr before going down that route.

**Mr Ross:** I thank the Minister for his statement. I support lowering the drink-driving limit for Northern Ireland, but there is an issue about how a different limit on each side of the border would have an impact on the border towns and counties. Can the Minister assure the House that the changes that we are pioneering in Northern Ireland will not be stalled if they are not

replicated in the Irish Republic or even in GB? Are the Irish Republic and GB making noises about lowering their drink-driving limits, and if so, what discussions are taking place on that?

**The Minister of the Environment:** No, they are not. We will act independently of what happens in GB and the Irish Republic. However, I remind the Member that at the previous NSMC meeting, it was agreed that developing a co-ordinated approach to drink-driving limits should be considered. The Minister in the Republic has given a commitment already to seek to co-ordinate such things and to try to introduce them simultaneously. However, if that is not possible, we in Northern Ireland alone will make the changes.

**Mr McCallister:** I thank the Minister for his statement. In an earlier response, he mentioned the poor state of road maintenance. Does he accept that poor maintenance of heavy goods vehicles in the Republic has associated safety risks? Was that matter discussed at the meeting? If not, why not?

**The Minister of the Environment:** That issue was not discussed at the meeting, for the simple reason that it was not on the agenda. I am not even sure — I would have to check — whether it is one of the competent issues that can be discussed. A range of issues are prescribed for discussion at North/South Ministerial Council meetings; I am unsure whether that matter is on the list. However, I know that officials from Northern Ireland have discussed it with officials in the Republic. Even if it is not an NSMC issue, there is nothing to stop Ministers discussing such issues one-to-one. I have discussed other issues with the Minister from the Republic. Although the Northern Ireland Act 1998 lays down certain things that can be discussed at the meetings, I can assure the Member that that does not prevent the bilateral discussion of other important issues.

**Mr Dallat:** I welcome the statement. I note that we still lag behind the best-performing countries in Europe. Given that over the past 40 years more people have lost their lives on the roads than through the Troubles, does the Minister agree that we need meat on the bones rather than an aspirational or inspirational document if we are to honour those families who have lost loved ones, two of whom died in my constituency at the weekend?

**The Minister of the Environment:** I totally agree with the Member. All of us who know families that have lost loved ones on the roads know that the Assembly and the Executive can use such measures to improve the quality of life for people in Northern Ireland. However, I reject the Member's other point. The road safety strategy is neither aspirational nor inspirational: it contains real, hard targets. I do not want to give the impression that I am complacent about this,

but the targets for road deaths, fatalities and injuries in Northern Ireland for 2012 have already been achieved. We are now working on a new strategy that will supersede the current strategy.

However, the document contains hard targets to ensure that vehicles are safe for use on the roads, to reduce deaths and serious injuries, and to target vulnerable groups such as young people, motorcyclists and children on their way to school. The document is not vague and woolly, as other Members have suggested. We set those targets because, unless we do so, it can become, as the Member suggested, an aspiration that may be achieved or may not. The issue is too serious to be dealt with in that way.

**Mr I McCrea:** I welcome the Minister's statement, which referred to the strategic approach of improving road safety on both sides of the border. Will the Minister advise the House whether there are plans to set up a separate road safety authority in Northern Ireland similar to that in the Republic of Ireland? Moreover, given the large number of deaths on rural roads — and the Minister is aware of the recent deaths in my constituency of Mid Ulster — does he agree that the retention of acute hospitals in rural areas should be considered?

**The Minister of the Environment:** First, there are no plans to set up a separate road safety authority. Indeed, all the responsibilities of the Road Safety Authority in the Irish Republic fall under a distinct section of the Department of the Environment in Northern Ireland. Significant benefits can be brought from having it directly under the control of the Minister; providing that the work is done, it does not matter under what banner it falls.

The Minister of Health is in the Chamber, and I am sure that he heard the Member's comments on accident and emergency provision in rural areas. I do not wish to intrude on that Minister's patch.

**Mr P Ramsey:** I thank the Minister for his statement. The Member for East Derry John Dallat referred to the deaths of young people on the roads in his constituency. Last week, I attended the funeral of a young man in Derry, 18-year-old Kevin O'Toole. The previous week, I attended the untimely funeral of the McNicholl brother and sister in Loup, outside Magherafelt. There are still horrific circumstances on the streets and roads of Northern Ireland.

Therefore, it is timely that, at lunchtime today, the Assembly's all-party group on road safety will meet. Previously, the all-party group asked for full reconsideration of the funding opportunities for the Road Safety Council of Northern Ireland. I understand that the Committee for the Environment also questioned officials on that.

**Mr Deputy Speaker:** Please ask a question, Mr Ramsey.

**Mr P Ramsey:** In light of the fact that the Minister has few, if any, days left in office, will he give full reconsideration to providing funding to the Road Safety Council, which carries out sterling work to highlight, promote and advocate road safety?

**The Minister of the Environment:** I thought that I had escaped a session on road safety without the issue of the Road Safety Council being raised. I have gone over that issue time and again in the House and with the Committee for the Environment.

I emphasise once more that the decision to terminate funding for the Road Safety Council was made on the basis of a report that I could not have ignored. I wish that the Member would read that report. It showed that the Road Safety Council did not give vision, inspiration or support to road safety, or the guidance or leadership that was required to justify the money that was being spent on it. Furthermore, the Road Safety Council was so ineffective that it claimed only three quarters of the money to which it was entitled, and it spent 60% of that on administration. That is not how the road safety message should be delivered.

If money is to be spent on road safety, I want to ensure that it is spent effectively and that the message reaches target groups in innovative ways. Some of the money is being spent in the same way as it was spent in the 1950s, despite the fact that lifestyles have moved on. Therefore, it is important that the money will be redirected in innovative ways in the future. I will not reconsider the decision. I can stand over my decision, and that is the end of the story.

**Mr Attwood:** I warmly welcome the style, tone and demeanour of the Minister in his embracing of the all-Ireland architecture of the Good Friday Agreement. It really is a wake-up call for all of us that someone who was so suspicious of all-Ireland architecture has been so —

**Mr Deputy Speaker:** Order. Mr Attwood, this is not a debate about the Good Friday Agreement and the North/South bodies; it is a time for questions to the Minister on his statement. Please ask a question, Mr Attwood.

**Mr Attwood:** My colleague Dolores Kelly asked about the agreed time frame for mutual recognition of driver disqualifications. The Minister knows from his experience on the Policing Board that mutual recognition of disqualifications to enable lateral entry for police officers, North and South, has not happened, nine years after the Patten Report, for legal and technical reasons. That is why an agreed time frame for new laws for mutual recognition of driving disqualifications is so important. Is any time frame in place here and in the Oireachtas that might result in legislation being

passed to ensure that that issue is dealt with in much less than nine years?

11.15 am

**The Minister of the Environment:** If we are talking about changed attitudes, I can say from my experience on the Policing Board with the Member that it was nice to see the way in which he joined the board and embraced policing in Northern Ireland, even though he had been reluctant to do so for many years. If he will damn me with faint praise, I will do the same.

My party and I have always made it clear that if there is a way in which to improve governance in Northern Ireland through co-operation with the Government in the Irish Republic or, indeed, the Government in any other part of the British Isles, we will, of course, work with them. I have highlighted some areas in which we can.

On 26 June 2008, I had a meeting at which it was agreed that the Department would prioritise the completion of legislation on procedures that is necessary to deliver mutual recognition of driving disqualifications. The British-Irish Council is also working on that. I have been informed that that has largely been achieved. I am not sure what will happen next. It is expected that formal declarations will be made to the Council of Europe and the European Union in accordance with article 15.4 of the European Convention on Driving Disqualifications. They should be informed by the end of the month. I assume that that will be done.

I am not sure what the process to introduce legislative changes in the Republic is thereafter. I will write to the Member in that regard. I hope that, at least, he can see that progress is being made on the issue.



## MINISTERIAL STATEMENT

### Swine Flu

**Mr Deputy Speaker:** I have received notice from the Minister of Health, Social Services and Public Safety that he wishes to provide the House with an update on swine flu.

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** I noted this morning, Mr Deputy Speaker, that you welcomed in the new Chairperson of the Committee for Health, Social Services and Public Safety. Iris Robinson is now the outgoing Chairperson of that Committee. As you may be aware, the Chairperson's role under legislation is to advise and assist the Minister of the relevant Department. That is what the Chairperson is asked to do in law. I want to put on record my deep gratitude to Iris Robinson for all her valuable advice and assistance. Thanks very much.

I want to take the opportunity to provide Members with a further update on Northern Ireland's response to the swine-flu virus. Since my previous statement on 15 June 2009, there have been several significant developments. At that point, there were only eight cases throughout Northern Ireland. In just a fortnight, that number has more than quadrupled, to 33 confirmed cases. One person remains in hospital after contracting swine flu.

For the first time, we have seen cases of swine flu in children, and that has resulted in the early closure of a primary school for the summer. A further case has now been confirmed in a classmate of the pupil at that school who first contracted swine flu. The second case at that school was picked up through the Department's use of its standard procedure for following up cases. The child has mild symptoms and is at home. It is the third case of swine flu in a child here and the fourth case of person-to-person spread.

Worldwide, more than 70,000 cases have been confirmed in 112 countries. There have been 311 deaths. Throughout the UK, there are around 6,538 cases. There have been three deaths. In the Republic of Ireland, there are now 40 cases. As those figures illustrate, the number of new cases continues to grow, doubling in the UK every seven days. Although the disease appears to be spreading quickly, I reassure Members and the public that, to date, swine-flu symptoms are generally mild in most cases. They can, however, be severe in a small minority.

Elsewhere in the UK, the situation is that most cases now result from spread in local communities rather than as a result of travel to other countries. Clusters of cases and widespread community transmission are

already prevalent in parts of Scotland, the West Midlands and London.

The situation is different in Northern Ireland at present, and the majority of cases to date continue to be travel related. However, as is the case in the rest of the UK, we can expect to see similar clusters here, with a growing proportion arising from community transition rather than from travel. That is entirely in line with what we would expect in the course of an outbreak. Those local hot spots will continue to grow across the UK in the weeks and months ahead. As many families will be heading off on holiday, we can continue to expect a number of travel-related cases.

As we have learned more about how the virus behaves, we have been adapting our response accordingly. Early actions that have been taken to contain and reduce the spread of the virus throughout Northern Ireland have been very successful. I thank staff in the Public Health Agency and front line health professionals for their tireless work in managing the outbreak of swine flu. They continue to provide important clinical advice and to support my Department, the health and social care service, and the public.

Our strategy to limit the spread of swine flu has involved offering antiviral drugs to those who develop the disease and, as a preventative measure, to their close contacts. That approach is part of our pandemic flu preparations and is in line with advice from the World Health Organization, the Scientific Advisory Group for Emergencies (SAGE), and the Joint Committee on Vaccination and Immunisation (JCVI). Although that policy has worked to date, we have always made it clear that we would not be able to prevent the spread of swine flu indefinitely. Emerging evidence and the experience in the so-called hot spots in England and Scotland support that view. As the number of cases continues to rise across the UK, we have adopted an appropriate response that allows flexibility in areas where there have been significant increases. Ensuring that flexibility is crucial. As our experience of the virus develops, it is essential that our GPs and other health professionals are able to use their clinical judgement in deciding how best to treat patients.

Our knowledge of this virus is only 10 weeks old. The initial position that emerged from Mexico suggested a severe illness. In light of that and of the fact that so little was known about the virus, it was entirely appropriate to take all available steps to slow down its spread while we learned more about it and bought time until a vaccine was available. Experience that has been gained since that time from across the world suggests that, to date, the virus causes less severe illness than was feared initially. At present, it has many of the characteristics of seasonal flu, with most people having a mild illness and making a full recovery. As with seasonal flu, most otherwise healthy



people generally do not require antiviral drugs, which can produce side effects such as vomiting, diarrhoea and nausea. The continued widespread use of antiviral drugs also runs a risk of the virus developing resistance and so reducing the level of protection that the treatment gives.

Emerging clinical experience of the virus suggests that for many people, the symptoms of swine flu can be treated in the same way as a normal cold or seasonal flu, which is by staying at home, taking paracetamol and cold remedies to reduce symptoms, drinking fluids, resting and contacting your GP only if symptoms do not improve. Were we to adopt that approach, as with seasonal flu, it would mean that we would rely more on symptoms than on swabs to diagnose the illness. It would mean that the use of antiviral drugs as a preventative measure and the tracing of close contacts of a symptomatic patient would be largely discontinued, although that would be based on the clinical judgement of local clinicians. That is in line with what is happening in the US, Canada and Australia, where there are large numbers of cases. That would represent a change in our current strategy, and it would require careful consideration. Any such decision would be based on scientific and clinical advice and would be kept under review. As I said, however, local clinicians and healthcare professionals would have the flexibility to use their clinical expertise and judgement in how best to treat patients.

On Wednesday, I will take part in a meeting of the Cabinet Office group COBRA, which is chaired by Andy Burnham, the Secretary of State for Health in England. Health Ministers from Wales and Scotland will also participate in that meeting, along with scientists and other senior health professionals, including the four Chief Medical Officers.

Actions may arise from that meeting that may result in changes to the way in which we deal with the swine flu pandemic along the lines that I have set out. I will update Members, via a written statement, of any decisions that lead to a change in approach.

It is important that our response to swine flu is proportionate. The investment of money and of people's time and energy should be targeted on managing the needs of patients and society as a whole, but that does not mean that we should be complacent. The scientific advisory group for emergencies advises COBRA on modelling for the spread of swine flu. It has advised that if the virus continues to spread at current rates in the UK, we could potentially expect to see up to 500,000 cases in the UK by the end of August.

Northern Ireland has a stock of antiviral drugs that will treat half the population. I have ensured that steps are in place to increase that, so that there will be antiviral drugs to treat up to 80% of the population.

Although that represents a significant stockpile, we must be prudent in its use. As I said earlier, it is important that we use antiviral drugs in a way that minimises the potential for resistance to develop so that they remain an effective treatment for people who are most at risk and for those with a less mild illness. We also need to ensure that the drugs remain effective in case the virus becomes more severe in the autumn.

As in the rest of the UK, we have been planning for a potential pandemic for some time, and since the emergence of swine flu, we have been operating in a heightened state of readiness. Our plans are robust and well rehearsed. However, as I have tried to make clear, they also need to be sufficiently flexible to respond to changing circumstances. The UK, including Northern Ireland, is one of the best prepared countries in the world. The Department of Health in London has concluded negotiations with the two main vaccine manufacturers on behalf of the four UK Health Departments. The UK will be procuring pandemic vaccine for the entire population. That will arrive in stages, commencing in August 2009, with full delivery anticipated in November 2010.

I remind Members and the public that we cannot do this alone. Everyone must play his or her part in helping to reduce the impact of the pandemic. Now that schools are closing for the summer and people are going on their holidays, I reiterate my public health messages, including the instruction that people should contact their GPs if they feel unwell when they return home. In addition, the public can reduce their chances of catching the virus by following these simple but effective steps: wash your hands regularly; cover your mouth and nose with a tissue when you sneeze and then put the tissue in the bin: "Catch it. Bin it. Kill it".

We need to be prepared for every eventuality in relation to swine flu to ensure that the public have access to the right treatment. That requires the necessary funding from the Executive, and I will be discussing the financial commitment required to manage our response to the emergency situation with Executive colleagues on Thursday. Members will be aware that as part of the final Budget settlement, my Department can bring bids to the Executive table in situations of a national emergency such as pandemic flu. Given the context of the emergency and the national response required, I regard swine flu as falling within that defined category.

The Assembly and the people of Northern Ireland can be assured that I will do all in my power to respond to any emerging situation over the summer months and into the autumn and winter.

**The Deputy Chairperson of the Committee for Health, Social Services and Public Safety (Mrs O'Neill):** Go raibh maith agat, a LeasCheann

Comhairle. I thank the Minister for his statement and for providing us with a further update on swine flu. That update is important, considering the impending recess.

I ask the Minister for a reassurance that he will continue to keep Members advised of developments over the summer. Furthermore, I wish to put on record my thanks to the officials from the Department and from the health and social services board who briefed the Committee last Thursday on the detailed preparations in place to deal with any upsurge in cases, especially in relation to the role that GPs and pharmacists will play in tackling swine flu.

The Minister spoke of the flexibility of local clinicians to use their best judgement when prescribing antiviral drugs. It is predicted that there will be an upsurge in cases in the autumn. Is the Minister concerned about whether the overprescribing of antiviral drugs now may lead to the virus developing resistance to that treatment in the autumn, when more cases occur? We live in a society in which some people assume that there is a pill for every ill; however, that is not necessarily the case.

11.30 am

**The Minister of Health, Social Services and**

**Public Safety:** I assure the Deputy Chairperson of the Health Committee that Members will be kept advised of the situation as it evolves throughout the summer; flexibility is very important. Clinicians on the ground, primarily GPs and primary care services, will be responsible for managing the outbreak by deciding which treatment is required.

The Member is right about the issue of antiviral drugs. Our successful approach, to date, has been to give antiviral drugs to a widespread number of contacts. However, that has resulted in large numbers of people who do not have swine flu receiving antiviral treatment. One danger with that approach is that the virus may mutate and become resistant to the antiviral drugs. That would mean that when we need them most, they would be less effective. Another danger is that the virus could then spread rapidly, which we have already seen happen in Scotland and England. Therefore, it is simply not practical to give antiviral drugs to all contacts. Before the outbreak is over, half the people in this country would have been given antiviral treatment, even though many of them might not have needed it.

The next stage is to look at primary care services and to give antiviral drugs only to those who need them. At tomorrow's meeting, it may be decided to move from the stage of containment to that which was originally called "mitigation" but which is now called the "outbreak management process". The treatment process involved in that will ensure that antiviral drugs are given to all who test positive for swine flu after falling ill.

**Mr Easton:** I also pay tribute to the Minister's Department for its hard work and for keeping us up to date on the situation so far. The move from containment to the new strategy seems to represent a dramatic change in the Department's handling of the outbreak. Is the Minister saying that, based on medical expertise, swine flu is to be treated more like ordinary seasonal flu because of the symptoms that people are experiencing? Are medical experts saying that they expect swine flu to become more virulent and more severe in the autumn?

**The Minister of Health, Social Services and**

**Public Safety:** Our experience of the virus is 10 weeks old. To date, people's symptoms have been mild; however, in a minority of cases, the symptoms have been severe. In no way can we say that that is a characteristic of the virus. No one knows how it is going to behave. The danger is, however, that it will become more virulent.

I have said repeatedly that it is anticipated that there will be a slow burn throughout the summer, followed by a surge in cases during flu season in the autumn. That is what we are anticipating, and that is the model on which the scientific advisory group is working. Other Health Ministers and I take the advice of the experts on that issue.

To date, people's symptoms have been mitigated and dealt with in the same way in which seasonal flu is treated. Anyone with flu-like symptoms has been told go to bed, stay warm, drink plenty of fluids and use medicines such as analgesic tablets to alleviate any flu-like symptoms. People will not necessarily need antiviral drugs in every case. The issue is about determining a policy that allows us to do that. Our stock of antiviral drugs must be kept largely intact so that we can deal with the surge, if and when it comes.

**Mr McCallister:** I welcome the Minister's statement. I, too, thank the Department of Health, Social Services and Public Safety and the Public Health Agency for the role that they have played and are playing in dealing with and planning for the swine flu outbreak.

I noted the Minister's reference in his statement to monetary matters. Does he agree that it would be indefensible for the Executive, which collectively agreed to the Budget, to renege on the agreement to provide the necessary funding to deal with swine flu? Surely, we do not expect people who fall sick with swine flu to pay for their treatment.

**The Minister of Health, Social Services and**

**Public Safety:** I agree. I will discuss the Budget deal on Thursday but, as far as I am concerned, a deal is a deal. Part of that deal was that the Department would table a request for funds in the event of major and unforeseeable circumstances, such as an outbreak of

pandemic flu. That was in the Budget deal that many Members voted for.

We are facing a challenge that is, to an extent, unknown. We do not know how the virus will behave come the autumn, but we do know that there will be a continuing demand on health and social care and that there will be continuing effects on society. Swine flu spreads faster than any other flu and, even if the symptoms remain mild, those who contract it will require time off work. Having up to one third of the population being off work this autumn would have strong ramifications not just for health and social care but across society. Any organisation that loses one third of its workforce will feel the effects strongly.

**Mr P J Bradley:** I thank the Minister for his statement, which is of particular interest because of the recent outbreak of swine flu in my area at St Ronan's School in Newry. I pay tribute to the Public Health Agency for its assurances on the matter yesterday. The principal acted immediately by closing the school, which means that there will be no more lessons until after the summer. Given the widespread concern in the area, will the Minister consider authorising testing for the pupils, staff and ancillary workers at the school? If not, will he make testing available for those who seek it?

**The Minister of Health, Social Services and Public Safety:** As I tried to explain, we are moving towards a different situation with the virus, the spread of which is quickening all the time. Testing will not provide any reassurance, because someone might test negative for the virus today and test positive for it tomorrow. We are administering antivirals to everyone who has symptoms of the virus, and we will get to a point where we administer antivirals to those who are at risk of coming to harm if they contract the virus. Therefore, our response is evolving at all times.

I understand the concern in the case that the Member mentioned, because it was in a school. In that case, a family had travelled to Mexico, and the child, who was a pupil at the school, came back with the virus and passed it on to another pupil. The Public Health Agency decided that the school should close, which was the appropriate response. The important point is that schoolchildren are very good at passing viruses, because of their environment, so having the schools closed as we enter the summer holidays is a major plus for us. In the past, I said in the House that the summer holidays will be important in helping us to limit the spread of the virus. However, its spread is inevitable, and the issue is how we deal with it as it explodes. Going into a school in Newry or anywhere else and testing everyone will not provide any answers.

**Mr McCarthy:** I thank the Minister for his statement. Following on from his previous answer, has there been a breakdown in the precautionary strategy

in the case of families who have travelled back from Mexico, which was the seat of swine flu in the first instance? Are precautions being taken to help families who have travelled back from various parts of the world and from Mexico in particular? Have any such families been denied health checks before their children were allowed back to school?

**The Minister of Health, Social Services and Public Safety:** The situation is as I related it. There has been no breakdown of the precautionary strategy whatsoever. We follow Foreign and Commonwealth Office travel restrictions. Restrictions on travel to Mexico were in force at one point, but those were lifted a couple of weeks ago because they were proving pointless. People are still travelling widely, and the virus has spread throughout the world. There is a very large number of cases of the infection, which is a quick traveller.

The situation is as I related it to Mr Bradley. The family from his constituency came back and tested positive for swine flu, and the school was closed as a result.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. Like other Members, I thank the Minister for his statement. I commend the work that is being done 24/7 by front line professional staff in the Public Health Agency and the Minister's departmental staff, who have been on red alert since the swine flu outbreak.

The Minister said that the antiviral medication can produce side effects such as vomiting, diarrhoea and nausea. This is the first time that I have heard about side effects. Will those have an impact on people who have underlying health problems? What is the shelf life of the antivirals? How much will the antiviral medication cost, and will the Health Committee get a copy of the bids for that medication?

As we approach the summer holiday period, people are going to all parts of the world, including Mexico, and it might be useful to continue to give travel advice. Will the Department advise people not to travel, given that there has been an increase in the number of cases? Several weeks ago we were advising people not to travel to Mexico, when there were fewer cases. Will officials be at the airports over the holiday period to give advice to people who are arriving back?

**The Minister of Health, Social Services and Public Safety:** As I said earlier, we follow Foreign and Commonwealth Office travel advice. There are no direct flights between Mexico and the island of Ireland, North or South; they come through mainland UK. The advice that we have been giving is that personal hygiene and self-isolation are the two key elements in limiting the spread of the infection. The advice on travel to Mexico was lifted a couple of weeks ago because it had served its purpose in limiting the

spread of the infection, and no further gains were being made in that regard. The virus spreads very quickly.

There are some side effects of the antivirals, as there are with any medicines. Giving antivirals to people who are ill is a matter for clinicians to judge, but in most cases it is a risk that is worth taking, because of the gains that can be made against the cost.

When we began to deal with the outbreak, we started with everyone who identified positive and the people with whom they came into contact, and gave them antivirals. As the situation evolved, anyone who tested positive, along with those with whom they had come into close contact, was given antivirals. We will soon get to a point at which we will give antivirals to people in at-risk groups who test positive — the people with underlying problems such as cardiovascular difficulties and asthma who are most in need of treatment, as well as the very young and the very old.

That is the direction in which the response is rapidly heading, because of the rapid spread of the virus that we are witnessing.

11.45 am

**Mr Gardiner:** I express my thanks, as other Members have done, to the Minister and his departmental officials, who continually keep the Committee for Health, Social Services and Public Safety updated on what is happening. As a member of that Committee, I say that with hand on heart.

I am concerned about financing, because the Minister or any of his officials could not have predicted the outbreak of swine flu. Will the Minister assure Members that he will make representation to the Executive, and to the Minister of Finance and Personnel in particular, to ensure that funds are available, and that the Health Service will not have to budget for the epidemic?

It is necessary that the Department continues to run as it does and that it maintain a high standard of healthcare in Northern Ireland. However, when we encounter such a crisis, additional funding is required. I hope that the Minister of Finance and Personnel will make funding available to the Minister of Health, Social Services and Public Safety.

**The Minister of Health, Social Services and Public Safety:** The Member can rest assured that I will make such representations. The financial paper came before the Executive last Thursday, at around two hours' notice. Both Reg Empey and I refused to discuss it. The Minister of Finance and Personnel proposed that we defer our discussion until this Thursday, and we will discuss it then.

As I have indicated to the Department of Finance and Personnel, the swine-flu outbreak will cost a minimum of £53 million. That is the minimum price of covering the cost of vaccines, antivirals and antibiotics,

plus the cost of administering them. I specifically said, during a debate on the Budget that many people voted for, that in the event of major and unforeseeable circumstances such as the outbreak of pandemic flu, there will be a price to pay. If that price is a minimum of £53 million, and it must come out of the health budget, that will represent a cut of £53 million to healthcare.

That, as far as I understand, is not acceptable to the House, because the House voted for the Budget. It is certainly not acceptable for society as a whole, and it is not sustainable in a Health Service that is running at a deficit of £600 million to provide a service comparable with the rest of the UK.

The Health Service has also been required to find £700 million in efficiencies over three years. That is an enormous amount to find. To be asked to find cuts to my budget, which is what financing the swine-flu outbreak would represent, would be intolerable and would cause a great deal of pain; I assure everyone of that.

**Mr Deputy Speaker:** That concludes questions to the Minister of Health, Social Services and Public Safety on the ministerial statement.



## MINISTERIAL STATEMENT

### Transfer 2010

**Mr Deputy Speaker:** I inform Members that the Speaker has received notice from the Minister of Education that she wishes to make a statement on transfer 2010.

**The Minister of Education (Ms Ruane):** Is rud mícheart amach is amach é páistí a chur faoi scrúdú le socrú a dhéanamh faoi iontráil chuig iarbhunscoil, go háirithe nuair a bhraitheann gach rud ar na torthaí. Níl leithscéal ar bith ann le páistí óga a chur faoina leithéid de bhrú nuair atá roghanna eile ann. Is eispéireas trámach é don iliomad páistí. In ionad páistí a spreagadh agus a chothú, is córas é a chuireann ainm teipe ar ár bpáistí, rud atá míchothrom agus míchruinn agus a fhanann leo ar feadh a saoil. Is rud mímhórálta é ainm teipe a chur ar pháistí de 11 bliain d'aois; is mícheart é agus níor chóir go leanfadh sé ar aghaidh.

To test children at the age of 10 or 11 for the purpose of determining admission to post-primary school is totally wrong, particularly in circumstances in which the stakes are so high. To put young children under that kind of pressure — intense pressure — when alternatives are available is indefensible.

For many children, the experience is traumatic. Rather than encouraging and nurturing, the system brands many of our children as failures, which is an unfair and inaccurate categorisation that follows them throughout their entire lives. To brand 11-year-old children as failures is immoral and unjust, and the practice should not continue.

Caithfidh an córas athrú. Tá córas oideachais de dhíth orainn atá páistelárnach, a fhreastalaíonn ar riachtanais an tsaoil nua-aimseartha agus a sholáthraíonn dár bpáistí ar fad agus a ligeann dóibh forbairt a dhéanamh ar a gcuid láidreachtaí agus a gcuid buanna. Caithfidh an fócas ar leith ar chumas acadúil a athrú ionas go mbeidh sé dírithe ar bhuanna agus ar inniúlachtaí. Tá sé ar intinn agam a chinntiú go bhfuil na riachtanais, na mianta, leas agus cearta páistí ag croílár ár gcórais oideachais.

The system has to change. We need a child-centred education system that meets the needs of the modern world, delivers for all children and allows each of them to develop their individual strengths and talents. The singular focus on academic ability must be replaced by a focus on all talents and aptitudes. I intend to ensure that the needs, aspirations, well-being and rights of children are at the heart of our education system. In my opinion, no child is a failure. For that reason alone, there will be no further state-sponsored test at age 11.

Furthermore, the evidence clearly shows that the old system created inequality. It served a small number

very well, but failed many more. Children from well-off areas are much more likely to gain admission to a grammar school than those from more disadvantaged areas. I am not prepared to tolerate such inequality.

However, the problem is not just inequality in access to grammar school places at an individual level. It is also one of systemic inequality amid demographic decline. Children from disadvantaged socio-economic backgrounds are significantly over-represented in a non-selective, post-primary sector in which provision and educational opportunity are increasingly restricted and threatened by shrinkage and unsustainability.

Mar bharr ar an olc, chuir an seanchóras an mhúinteoireacht i mbunscoileanna as a riocht, nó tréigti gnáthcheachtanna le páistí a chur trí pháipéir trialach lena n-ullmhú do theist. Thoisigh roinnt scoileanna an cleachtadh seo i rang 5. Fágadh na páistí sin nach ndearna an tesit, train de na páistí ar fad, gan a bheith páirteach sna hullmhúcháin, agus bhí an chontúirt ann mar sin go gcaillfidís suim agus nach mbainfidís bunleibhéil litearthachta agus uimhreachta amach.

Compounding all that, the old system led to the distortion of teaching in primary schools, as normal lessons were abandoned in order to put children through practice papers in preparation for a test. Some schools began conditioning at P5. However, those who did not take the test, one third of all children, were left out of preparations and were, therefore, in danger of losing interest and of falling behind in achieving basic levels of literacy and numeracy.

While our children were being coached for a test, others of the same age across Europe and this island were improving their literacy and numeracy skills, learning languages and participating in drama and sport. Our old system has put our children at a disadvantage compared with children elsewhere. That will no longer be the case.

There is a statutory duty to deliver the curriculum. Apart from that legally binding duty, however, it is wrong that a small number of grammar schools should attempt to dictate teaching practice in primary schools in pursuit of their own narrow self-interest. We cannot allow a selfish minority to dictate the pace of change.

The non-selective post-primary schools have organised and spoken clearly. The teaching unions are as one. The Commission for Catholic Education is determined that selection will end in its sector. The vast majority of primary school teachers and principals have reiterated their opposition to academic selection. I, as Education Minister, and the Department are clear that academic selection is coming to an end.

The final version of transfer 2010 guidance was published on 25 June 2009. That followed two consultation exercises on the guidance, which received

3,224 responses, reports of which are on the Department of Education website. Of those, 3,054, or 95%, were supportive. The key points of the guidance remain unchanged. However, it contains much additional helpful material, and I am very grateful to all those who responded to the consultations.

What remains unchanged? Ar dtús, ní chuirfidh an Roinn aon teist aistrithe ar fáil le haghaidh aistriú 2010, rud ar chuir bunús mór na na bhfreagróirí sa chomhairliúchán fáilte roimhe. Sa dara cás, coinníonn an treoir an moladh nár chóir do scoileanna critéir iontrála acadúla a úsáid. Cuireadh fáilte mhór roimhe seo freisin. Sa tríú cás, coinníonn an treoir an moladh gur chóir do gach scoil úsáid a bhaint as an chritéar, mar an chéad chritéar iontrála, a thugann tosaíocht chomhréireach do pháistí atá i dteideal béilí saora scoile. Is aitheantóir cothrom éifeachtach an ioncaim ísil í an teidlíocht le haghaidh béilí saora scoile. In aghaidh roinnt tuairimí fíúthi, tá an teidlíocht — i gcoinne an lín a ghlacann léi — bunaithe ar coimhéis i ngach pobal.

First, no transfer test will be provided by the Department of Education for transfer 2010; that was welcomed by the overwhelming majority of consultation respondents. Secondly, the guidance maintains its recommendation that schools do not use academic admissions criteria; that was equally welcomed. Thirdly, the guidance maintains its recommendation that all schools should use, as their first admission criterion, a criterion that gives proportionate priority to children who are entitled to free school meals. Entitlement to free school meals is a highly effective and fair identifier of low income. Contrary to some suggestions, entitlement, as opposed to actual uptake, is established at an equal rate across communities.

What is new? The guidance is now a much more detailed and comprehensive document. Annexes two and three include clear definitions, practical guidelines, criteria and an illustration of how to use the criterion for entitlement to free school meals. As a result of consultations, and in the interests of maintaining parents' ability to express their preferences for schools freely, the guidance also contains a new recommendation that schools do not use admissions criteria that prioritise applicants according to whether or not they have applied to the school as their first preference or second preference, and so on.

The guidance continues to provide clarity to primary schools and the education and library boards about their role in post-primary transfer to ensure that parents and children continue to have clarity. Primary schools are particularly assured that they cannot be pressured into serving the admissions process of post-primary schools, and many schools already understand that. The role of a primary school, which is vital and precious, is to deliver primary education to children. It

is nothing else, and many primary schools have declared that for themselves.

Tá córas páistelárnach a chuireann ar chumas gach páiste a lánchumas a bhaint amach. Cheil an seanchóras eispéireas oideachais ardchaighdeán ar pháistí ina mblianta deireannacha sa bhunscoil; nó is ar ullmhú don teist amháin a bhí an fócas iomlán. Chinntigh an seanchóras an mhíthchothromas, agus chuir sé stiogma na teipe ar pháistí de 11 bliain d'aois. Creidim gur céim chun tosaigh é eisiúint na treorach seo i dtreo córais oideachais atá níos fearr, níos cothroime; córas a fhreastálódh ar ár bpáistí ar fad.

We need a child-centred system that provides every child with an equal opportunity to reach her or his potential. The old system deprived children of a fulfilling and quality education experience in their final years in primary school because the entire focus was on preparation for a test. The old system entrenched inequality and stigmatised 11-year-old children as failures; that has to change. The issuing of the guidance marks another important step towards a better, and more just, education system that serves and cherishes all our children equally.

Creidim gur céim chun tosaigh é eisiúint na treorach seo i dtreo córais oideachais atá níos fearr, níos cothroime; córas a fhreastálódh ar ár bpáistí ar fad.

**The Deputy Chairperson of the Committee for Education (Mr D Bradley):** Go raibh míle maith agat, a LeasCheann Comhairle. Caithfidh mé a rá i dtús báire go gcuirim fáilte roimh chinneadh an Aire an Ghaeilge a chur ar thaobh na láimhe clé dá ráiteas inniu, mar a mhol mé di a dhéanamh an lá faoi dheireadh. Ba chóir don Aire beart a dhéanamh de réir mo bhriathair-sa níos minice ná mar a dhéanann sí.

*12.00 noon*

I welcome the Minister's decision to put the Irish language on the left-hand side of the pages of her statement, as I suggested during a previous debate. The Minister should listen to me more carefully and act on my words more often; I hope that she will do so in future.

Ba mhaith liom an cheist seo a fhiafraí den Aire : an aontaíonn sí liom nach réiteoidh an treoir seo fadhb an aistrithe ? Cad chuige? Toisc go dtabharfaidh na scoileanna gramadaí spléachadh gasta uirthi agus neamhaird iomlán a dhéanamh di; agus toisc go bhfuil na critéir seo in úsáid cheana féin sna scoileanna neamhroghnaithe. Ar an ábhar sin, ní athraíonn an treoir seo rud ar bith. Ach is admháil an treoir ón Aire go bhfuil teipthe uirthi glan fadhb an aistrithe a réiteach.

Does the Minister agree that her published guidance does nothing to solve the transfer issue and that it is, in fact, largely irrelevant? Grammar schools, having read the guidance, will duly ignore it, and most non-selective schools use such criteria in any case. Therefore, in

effect, nothing has changed. The guidance simply represents an admission from the Minister that she has failed totally to solve the transfer issue.

**The Minister of Education:** Go raibh maith agat as an ráiteas sin. I listen to useful suggestions but discard those that I do not find useful. I do not agree with the Member's second point at all. Right across the board, the educationalists have spoken: Catholic trustees, secondary schools, primary schools, and the vast majority of parents. My Department put the guidance out to public consultation.

**Mr Storey:** *[Interruption.]*

**The Minister of Education:** The Member on the opposite Benches is clutching at straws. In case Members do not understand, the guidance went out to public consultation, and 3,054 of the 3,224 responses, which is some 95%, were supportive.

**Mr Storey:** *[Interruption.]*

**Mr Deputy Speaker:** Order. Members must allow the Minister to answer. I am hearing everything in quadrasonic sound. Perhaps the Minister would respond to the question.

**The Minister of Education:** To reiterate the point that I was making, the views of the vast majority of the Catholic trustees and Catholic secondary schools and the statement that the Department received from the state secondary schools were positive. I have just held conferences in Newry, Ballymena, Cookstown, Belfast and Derry with representatives of primary schools from right across the North of Ireland.

The vast majority of educationalists support the guidance. The vast majority of educationalists from right across the board support change. The vast majority of educationalists will not allow a small minority to block change. Given that the Member who asked the question is an educationalist, I hope that he is supportive of all those different organisations and educationalists, because fundamental, radical changes are happening in the education system.

**Miss McIlveen:** Only last week, the Minister threw a hand grenade into the system in the form of a last-minute announcement on a teacher-retirement scheme. Her announcement was, undoubtedly, driven by expediency and the need to curry favour with the trade unions in return for their politicised support for the flawed transfer 2010 proposals. How disappointed they will be today on reading paragraph 21 of the guidance, which states:

"The legal position and the Department's recommendations: for any school to use academic admissions criteria will not be explicitly prohibited."

In other words, the status quo remains.

**Mr Deputy Speaker:** Order. Please ask a question, Miss McIlveen.

**Miss McIlveen:** Given that thousands of parents have entered their children for the unregulated tests, does the Minister not agree that despite her consultations, parents have opted for selection?

**The Minister of Education:** I take my duties as Minister very seriously, and I am carrying out a full equality impact assessment of the premature-retirement compensation scheme.

As I said, the vast majority of people who responded did so positively; the figure of 95% speaks for itself. All the teachers' unions stated that there needs to be change in the system and that the 11-plus system was deeply unfair.

Last year, approximately 15,000 children signed up for the 11-plus, but the numbers that I read in the 'Belfast Telegraph' were quite small. I plan to bring about a system in which there is no testing of children at age 10 or 11. The system has failed us in the past, and it will fail those breakaway schools that opt to do so-called independent tests. What they are doing is wrong, immoral and it disadvantages children. We should all move together in the interests of putting equality at the core of our education system because that is what transfer 2010 does. Make no mistake about it: the old days of inequality are gone for ever. The time of change and new thinking is now. The time for discriminating against 10- and 11-year-old children is over.

**Mr B McCrea:** The only thing that is coming to an end is the credibility of the Minister. She stated that putting young children under intensive pressure when alternatives are available is indefensible. Why did she decide to put immense pressure on our children and parents this year? She said that we cannot allow a selfish minority to dictate the pace of change, but does she not recognise that this Assembly represents the free will of a democracy, rather than unelected and unrepresentative quangos upon which she chooses to rely?

She asserted that the system has served a small number of children but has failed many more. However, how can she rebut the information from the BBC, which states that, as usual, GCSE pupils in Northern Ireland outperformed the rest? Northern Ireland A-level students have again outperformed those in England and Wales. We have the best education system in the United Kingdom and beyond, and you, as the Minister, are either incompetent or educationally illiterate because you will not address the facts. You are determined to destroy what is best about Northern Ireland, and I challenge you, here and now — because you do not have the guts — to debate in this place the education of our children.



**Mr Deputy Speaker:** Order. Members must address all of their remarks through the Chair.

**The Minister of Education:** Despite that rant, democracy has spoken: 3,224 people took the time to engage in the public consultation. I do not know where the Member's reference to quangos comes in because it was a public consultation.

People can, and regularly do, resort to personal insults. People can resort to all the little rants that they want, but the reality is that we have the biggest body of underachievement on any part of this island and throughout many countries in Europe. We just need to look at the OECD results. Members can live in a fantasy land and pretend that we have the best education system in the world or in Ireland, England, Scotland and Wales but that is not the case.

Members would better serve their constituents if they actually dealt with the facts; if they dealt with the facts of the deep inequality of our system; if they dealt with the fact that 12,000 of our young people leave school without an English and a maths GCSE at grade A\* to C.

Members can interrupt me, and they can use all the little tactics that they want, but that is the reality that is hurting Members on the opposite side of the Chamber. They are not representing the people whom they are supposed to represent.

Let us just look at the statistics for Belfast. The city has 28 post-primary schools, 12 grammar schools and 16 secondary schools. She said:

"Those 12 grammar schools now educate 54% of children who attend the 28 schools."

The 16 secondary schools educate the remaining 46%. In those 16 secondary schools, 3,010 desks are empty. That is an average of 188 empty desks a school.

In the 16 secondary schools, 35% of children, more than one in three, are free school meal entitled, and 278 children are SEN statemented, an average of 17 a school. In the 12 grammar schools, 5% of children, one in 20, are free school meal entitled, and 95 children are statemented, an average of eight a school. Please represent your constituents.

**Mr Deputy Speaker:** Members are reminded that their questions must be on the Minister's statement.

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement and commend her for her ongoing commitment to producing an education system that is based on equality for all children, not a selected few.

Is the Minister satisfied that grammar schools are aware that it is illegal to charge parents of children who take part in these so-called independent tests?

**The Minister of Education:** The legality of plans to charge parents for their children's entrance tests is an issue for the schools involved to consider, particularly given the relevant legislation. Article 128(1) of the Education Reform Order 1989 prohibits a school from charging for admission. The final transfer 2010 guidance includes advice on that:

"Even whilst these plans may feature an attempt at means-testing, the Department would advise any such schools to consider whether parents should have to pay in order to apply meaningfully for a state school".

**Mr Lunn:** I welcome the Minister's statement, in so far as it provides clarity about what she wants, if not about how we will get there.

Is there a legal definition of the phrase "have regard" in the Minister's statement, or in the transfer 2010 document itself? It is made perfectly clear that boards of governors have a legal duty to "have regard" to the guidelines, but they have no legal duty to apply them. That is contradictory. Despite the support, to which the Minister referred in her statement, from all the various bodies and the consultees, the fact is that there is no —

**Mr Deputy Speaker:** The Member must ask a question.

**Mr Lunn:** Is there a complete lack of effective sanction against those who do not choose to adhere to the guidelines? Will the Minister comment on the fact that her guidelines have no teeth?

**The Minister of Education:** I thank the Member. *Caitheadh scoileanna aird a thabhairt ar threoir na Roinne. Ciallaíonn sé sin nach féidir leo neamhaird a dhéanamh di.*

Schools that must "have regard" to the Department's guidance cannot disregard it. That means that the guidance is an important document for them to consider when developing their admissions criteria and performing their role in the admissions process. Boards of governors and others addressed by the guidance should understand that they have a legal duty to have regard to that guidance.

In practice, for a post-primary board of governors that duty means that, in drawing up admissions criteria for the 2010-11 school year, they should give active and receptive consideration to the guidance's recommendations on admissions criteria and record that consideration. If a board of governors does not comply with its duty to have regard to guidance issued by the Department, under article 16B of the Education Order 1997, the Department can issue a direction requiring it to do so under article 101 of the Education and Libraries Order 1986.

The Department can invoke article 101 when it is satisfied:



“that a relevant authority has acted or is proposing to act unreasonably”.

The Department could also consider issuing an article 101 direction if the admissions criteria set by a board of governors were to contravene any statutory provisions, for example, equality legislation.

12.15 pm

**Mr McCallister:** In my brief time on the Education Committee, the one thing that has become clear is that we do not have clarity on anything. The Western Education and Library Board, for example, estimates that up to 8,000 pupils who would be entitled to free school meals do not claim them. In addition, there are issues about the capital value of farms. Adding that to the fact that her own equality impact assessment concludes that the criteria discriminate against those in rural and Protestant working-class areas, and given that so much of the policy is based on free school meal entitlement, how does the Minister propose to make any of her plans fit for purpose?

**The Minister of Education:** I believe that the Member has been on the Education Committee for only two hours. Nevertheless, I welcome him, and I am sure that he will receive copious notes on this subject from my Department.

The guidance, and transfer 2010, will not discriminate against children from rural areas. In fact, we have taken our duty to those children very seriously, which is clear in the way in which we have used the term “nearest suitable school” for certain admissions criteria. Therefore, I advise the Member to read the guidance, which is clear on that point.

Children from the Protestant community will not be disadvantaged. In fact, for the first time ever, they will get a fair chance in the education system. Records are kept of those pupils who have claimed free school meal entitlement by making applications to their education and library board. Free school meal entitlement is used by the Department as an indicator of deprivation, because it correlates highly with a number of deprivation measures, including the multiple deprivation measure. It is pupil specific, and therefore, more robust than spatial measures, which assume that everyone in a given area is alike. It is current, because it is updated annually as part of the schools census return. Furthermore, it is an indication of the relative concentration of potentially disadvantaged pupils in a given school, in a way that no other indicator is. That is important in circumstances in which schools, especially at post-primary level, draw their intakes from widely dispersed areas.

Despite the high correlation of free school meal entitlement with the multiple deprivation measure, there may be instances whereby children who are entitled to free school meals do not claim their

entitlement. During consultation, an issue was raised about whether there is systematic bias in such under-claiming. Recent analysis of data from the Family Resources Survey, the key Assembly survey that is used to measure poverty, profiled the characteristics of children who live in households that are defined as being in poverty. The analysis shows a strong correlation with the multiple deprivation measure and the closely matched religious profile between pupils who are entitled to free school meals and children who live in households that are defined as being in poverty, all of which highlights the value of free school meals as an indicator of deprivation.

**Mr Brolly:** Go raibh míle maith agat. In the absence of regulation, are children facing the prospect of sitting more than one selection test for entrance to a grammar school?

**The Minister of Education:** No child should have to sit any tests, and it is wrong to put children in a position in which they will be forced to sit tests. If schools follow the guidance —

**A Member:** What about GCSEs?

**The Minister of Education:** I am talking about tests at the age of 10 or 11. To the best of my knowledge, the only children who sit GCSEs at the age of 10 or 11 are those who take GCSE Irish or children who are fluent in other languages.

As to whether the absence of regulations means that children face the prospect of sitting a number of entrance tests, if schools follow the guidance, no children will have to sit any tests.

Go raibh maith as sin. There is no educational case for a test at the age of 10 or 11. International evidence is clear on that. Not only do many non-selective systems produce better results than the North of Ireland, but international surveys regularly conclude that attainment gaps and extended underachievement are characteristics of selective systems. If that happens, it will be because schools have set aside a recommendation that, in the interests of fairness, urges them not to practice academic selection. The reality is that transfer 2010 is now departmental policy. It is my policy and that of the Department of Education. For the first time ever on this part of the island, equality will be at the core of our education system.

**Mr Ross:** In her statement, the Minister said:

“I, as Education Minister, and the department are clear that academic selection is coming to an end.”

However, the guidance that she also provided to Members states that the legal position is that academic admissions criteria will not be explicitly prohibited. Is that not all the proof that we need that the Education Minister has failed utterly in her attempts to abolish academic selection?

**The Minister of Education:** The 11-plus has gone. It has gone forever. I welcome that, because people know my views on it. The vast majority of educationalists support transfer 2010. The consultation was responded to by 3,224 people, 95% of whom supported the guidance. The guidance is departmental policy. People can go into legalities, but the reality is that transfer 2010 is departmental policy. The old system of discrimination and inequality is ending, and I welcome that. I urge all Members of the House — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**The Minister of Education:** I urge all Members of the House to support me in putting equality at the core of the education system.

**Mrs McGill:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. She referred to the fact that in the old system:

“Some schools began conditioning at P5.”

What guidance has been offered to primary-school principals for cases in which parents want their children to sit a test?

**The Minister of Education:** Go raibh maith as sin. As I said to Members, I held a series of five conferences across the North of Ireland recently: in Ballymena, Cookstown, Newry, Belfast and Derry. The overwhelming majority of primary-school principals are delighted that the 11-plus has gone. That was the consensus in all the meetings, at which there were representatives from every sector: Irish-medium, integrated, Catholic maintained and state schools. The vast majority supported it, because, for too long, a small minority of schools dictated the curriculum that was taught in primary schools. Thankfully, primary schools are now an entity in their own right. Primary-school years are some of the most important in a child's life. I am delighted that, forever and a day, the primary schools are liberated — that is the word that many of them used — from teaching to an outdated, outmoded test that discriminated against thousands of children.

In relation to pressure from some parents, the guidance states that primary schools cannot be required to prepare children for tests and that the Department recommends strongly that they do not do so. The guidance states:

“All primary schools are covered by statutory obligations to deliver the primary curriculum as defined in Articles 4-9 of the Education Order 2006 ... The Education and Training Inspectorate will continue to monitor the quality of teaching and learning, in the context of, the revised curriculum in primary schools.”

The primary schools and the teachers' unions requested that clarity, and I am happy to provide it.

I pay tribute to primary-school principals across the North of Ireland for the good work that they are doing. I celebrate with them the fact that, for the first time, no

part of the primary curriculum will be distorted in the way that it was in the past.

**Mr P Maskey:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** There are no points of order during questions on ministerial statements. You should know that, Mr Maskey; perhaps you have not been in attendance at one of these sessions before.

**The Chairperson of the Committee for Education (Mr Storey):** I am glad that the Assembly does not have a sports day at the end of term, because the Minister of Education could not win even the egg-and-spoon race.

As Chairperson of the Education Committee, I want to inform the House that the Education Minister has bypassed the Committee. Members will remember that when she published the sustainable schools policy, she did it by —

**Mr O'Dowd:** Speech.

**The Chairperson of the Committee for Education:** Mr Deputy Speaker, am I to be continually interrupted by a Shinner?

**Mr Deputy Speaker:** Order. The words “pot”, “kettle” and “black” come to mind, Mr Storey. However, Mr Storey should be allowed to continue. It is questions to the Minister on her statement, and I await the question.

**The Chairperson of the Committee for Education:** The Minister published her sustainable schools policy by putting on her education balaclava and doing it at night. When she decided to publish transfer 2010 guidance, she did not come to the Education Committee, despite the important fact that in a letter to the Education Committee dated 5 May —

**Mr Deputy Speaker:** Order. Mr Storey, as Chairperson of the Committee, you are given a certain amount of leniency in respect of what you can say, but the time for a question to the Minister on her statement has long passed.

**The Chairperson of the Committee for Education:** The Education Minister has ignored the Education Committee. Will the Education Minister tell the people and the parents of Northern Ireland today, first, that she has failed in relation to the abolition of academic criteria, and, secondly, when she will heed the numerous calls that have been made to her? We will have to come back to the issue of transfer. We will have to establish an agreed way to transfer our children from primary school to post-primary school rather than go down the ideological cul-de-sac that she, as Education Minister, has created and exist in the confusion over which she is happy to preside.

**The Minister of Education:** Go raibh maith agat. Mr Storey raised a point about sports days. Last night, I met all the GAA coaches who are part of the sports programme in P1 and P2. Members will know that we have a good sports programme with the GAA and the IFA. It might be useful for the a Cheann Comhairle, the Chairperson, of the Education Committee to have a discussion with the GAA and the IFA, because one of the issues that we discussed was ways in which sports days can be made more participative. It is not about winning or about the two or three children who win all the medals; it is about interaction. I commend the GAA and the IFA for making sports days more interesting in the primary schools in which they are working, and for training the teachers. I thank the Member for giving me the opportunity to pay tribute to the IFA and the GAA.

I urge the Chairperson of the Education Committee not to resort to personal insults. It is better to deal with the educational arguments. It is often the case that people resort to insults when they have nothing or little to say.

12.30 pm

The Chairperson of the Committee for Education talks of agreement and consensus, but I have always given the Committee — *[Interruption.]*

**Mr Deputy Speaker:** Order.

**The Minister of Education:** I have always given the Committee its rightful place, and I have met with it on numerous occasions to discuss transfer 2010. However, the Member's party has refused, on a number of occasions, to allow me to put my proposals to the Executive, or to even put those proposals on the agenda. Perhaps he should explain to parents why his party is afraid to place the issue on the agenda at an Executive meeting? *[Interruption.]*

**Mr Deputy Speaker:** Order.

**The Minister of Education:** On 15 May 2008, I put compromise proposals to the Executive, and the DUP Ministers refused to discuss them. On 29 January 2009, I put compromise proposals and guidance description to the Executive, and the DUP Ministers refused to place them on the agenda. On 2 February 2009, and again on 23 June 2009, I issued guidance for consultation to the Executive, and the DUP Ministers again refused to discuss it. That party has refused again and again and again.

Parents must hear that the party opposite does not want transfer 2010, and I can tell those parents why it does not want it. The DUP does not want it, because it knows that the previous system failed thousands of our children every single year. Members from that party can hide that fact, they can shout across the Chamber and they can use personal insults, but the reality remains

that we have the biggest body of underachievement on this island and across Europe.

We can engage in discussion and debate or we can move on. I am moving on, and my Department is moving on. *[Interruption.]*

**Mr Deputy Speaker:** Order, Members.

**The Minister of Education:** Transfer 2010 is now departmental policy and it is putting equality at the core of the education system.

**Mr Deputy Speaker:** I must say that Members are providing a fine example to the very children about whom they are talking.

**Mr Poots:** Does the Minister agree that there is a number of very important and key elements missing from her statement, such as: "Ruane makes amazing comeback to win Wimbledon ladies' singles"; "Newry City win Champions League"; "Elvis spotted sunbathing in Warrenpoint"; and "They all lived happily ever after"?

I recommend that the Minister take a long holiday, because, when she returns, examinations will still be taking place. Furthermore, the privatised transfers that she has initiated, for which there will actually be more testing, and which will make it more difficult for children from socially challenged backgrounds to get into grammar schools, will still be in place. Is that the system that the Minister set out to create, for that is what she has created?

**The Minister of Education:** It is interesting to hear sporting analogies as Wimbledon takes place, and I am glad that Mr Poots has provided the House with some very good ones. I look forward to seeing Newry City win the Champions League, and all the rest. *[Interruption.]*

My aim is that children participate, rather than for the focus to be on the winning. It is not about the winners but about everyone, and that is the key point. It is the same in education, and the Department is trying to ensure that every child receives a fair chance. For the first time ever since the 11-plus was introduced, equality is at the core of the education system in the North of Ireland.

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

**Mr P Ramsey:** I thank the Minister for introducing the guidance paper. However, does she acknowledge that, particularly for primary schools, now is the most difficult, stressful, worrying and traumatic period for parents? Does she agree that, even if all post-primary schools were to use only this guidance to admit pupils, it would still not be workable, because sufficient reorganisation of the post-primary sector, required to make the guidance work, has not yet occurred?

**The Minister of Education:** I have met with primary schools across the North of Ireland, and I



wrote to all the primary schools on 11 May 2009 to draw their attention to the relevant parts of the transfer 2010 guidance.

In addition, I note that CCMS issued helpful and clear guidance on transfer 2010 to its primary schools on 13 May 2009. I wrote to the education and library boards, and they have also written to the controlled primary schools about the issue.

Two things are clear to me. First, primary schools are delighted that they are no longer a stepping stone to post-primary education. They are a sector and an educational experience for children in their own right. Secondly, and as importantly, all primary schools told me that they love the new revised curriculum. Members may laugh, but go and talk to primary-school principals. In the past three weeks, I have talked to hundreds of primary-school principals across the North of Ireland and across all sectors. They tell me that the curriculum is good. They say that it is good for the children and that it is stimulating them, and they are already seeing a difference at primary 6. They are delighted with the changes.

There is a big prize here for all of us, particularly for primary schools. No longer will they be the ones having to face parents and white-faced children who, at the age of 10 or 11, are sitting two one-hour tests for an education to which they are entitled. No longer will they be the ones who have to ring the parents and listen to a crying child in the background.  
[*Interruption.*]

You may shout across the Chamber, but that is the reality of our system now. It is going to change, and it has to change. The system is wrong. Go and talk to the primary-school principals —

**Mr Deputy Speaker:** Order. The Minister is quite incorrect; Members may not shout across the Chamber. There is a new teacher in the Chair who insists that all remarks be made through the Chair. Minister, continue.

**The Minister of Education:** Go raibh maith agat faoi sin. Thank you for that. I had, in fact, finished.

**Mr Kennedy:** The Minister of Education has brought mediocrity to new levels with her statement. We have heard what the Minister has said. We have heard the statistics and percentages that she has used, allegedly in support of what she has brought forward. How then does she explain the simple fact that parents and schools are, and will be, engaged in individual entrance tests for schools?

My next point relates to paragraph 5 of the guidance. It has been clearly identified that education and library boards are saying that there are operational difficulties with the criteria with which the Minister wishes to proceed. How is that to be dealt with in real

and practical terms? Is she not putting the education and library boards in an invidious position?

Paragraph 20 of the guidance states that distance tiebreakers are, apparently, not recommended as a criterion, but the nearest suitable school is permitted as a criterion. That is simply illogical. It is education by postcode. Will the Minister respond by providing detailed answers rather than generalised ideology?

**Mr Deputy Speaker:** I remind Members to make their remarks through the Chair. [*Interruption.*] I will do my best to chair the meeting.

**The Minister of Education:** The Member asked a number of questions, so I will start with the comment on underachievement and entrance tests. I will cite figures for the Member's area, Newry, and also for Armagh and Down because that will cover two constituencies. There are 46 post-primary schools in the Down area: 14 grammar schools and 32 secondary schools. The 14 grammar schools educate 44% of the children who attend the 46 schools. The 32 secondary schools educate the remaining 56%. Some 2,730 of the desks in the 32 secondary schools are empty.

In the 32 secondary schools, 18% of the children are entitled to free school meals, and 1,128 children are SEN (special educational needs) statemented. In the 14 grammar schools, the figure is 4%. The same applies to Armagh.

We can pretend that there is not inequality in the system, which is what the Members on the opposite Benches love to do. There is deep inequality in the system. That situation must change, and it is changing. I welcome the fact that the education and library boards have written to the primary schools about their statutory duties in relation to the revised curriculum. The reality is that 3,224 respondents support the change. [*Interruption.*]

**Mr Deputy Speaker:** Order. That concludes questions to the Minister of Education.

The Minister of the Environment will not be making a statement, so we will move on to the next item of business.

**Mr P Maskey:** On a point of order, Mr Deputy Speaker. It is a pity that the Deputy Speaker who was in the Chair previously is not still there. However, can you, a LeasCheann Comhairle, make a ruling? The Deputy Speaker who was in the Chair previously invited at least two Members to ask the Minister of Education questions on her statement. That happened even though they were late in arriving for the beginning of her statement and even though one of those Members is the Chairperson of the Committee for Education. If that Member had taken more interest, he would have been in the Chamber at the beginning of the Minister's statement.



However, that same Deputy Speaker made a ruling a couple of weeks ago about one of my party colleagues and a Member of the DUP. That ruling was that they were not allowed to ask questions because they were not in the Chamber for the beginning of a statement. Therefore, I ask you to make a ruling on the matter; the Deputy Speaker who was in the Chair previously seems to make the rules up as he goes along and from one sitting to the next.

**Mr Kennedy:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** May I deal with Mr Maskey's point of order first, please?

When the Member said that it was a pity that the Deputy Speaker who was in the Chair previously was not still there, I thought that it was because he did not like me. However, his remarks will be referred to the Speaker, who will respond accordingly.

**Mr Kennedy:** On a point of order, Mr Deputy Speaker. Is it proper for any Member to challenge either the authority or the ruling of the Speaker or any of the Deputy Speakers?

**Mr Deputy Speaker:** Those are all very hard questions. *[Laughter.]*

In the circumstances, as any good teacher who does not know the answer would do, I will refer the matter to the Speaker.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** I hope that the Member is making a genuine point of order.

**Mr B McCrea:** This is fundamental — *[Interruption.]*

I will wait for the ministerial conference to finish.

This is fundamental to good order in this place, and I do not want the matter to be trivialised, but I do not think that it is appropriate for Members to challenge either the Speaker or the Deputy Speakers directly. I wish for that fact to be brought to the Speaker's attention and for a ruling to be brought back to the House.

**Mr Deputy Speaker:** As I understand it, the Member was asking a question, and I have undertaken to have it answered. I do not think that that is a challenge to the Chair.

**Mr O'Dowd:** On a point of order, Mr Deputy Speaker. The Member made a good point. During the ministerial statement and responses, it was clear to any observer in the Chamber that Mr McCrea interrupted consistently the Minister and Members who were asking questions. Considering that the Speaker has ruled on the conduct of Members in the Chamber on several occasions, will you also refer to the Speaker

the conduct of Members during the previous statement and the questions and answers that followed?

**Mr Deputy Speaker:** I do not believe that that is a point of order. The Member will agree that several Members interrupted the Minister. If we keep on with this discussion, everyone will get lines.

We will move on to the next item of business.

12.45 pm

## EXECUTIVE COMMITTEE BUSINESS

### Employment Bill

#### Second Stage

**The Minister for Employment and Learning (Sir Reg Empey):** I beg to move

That the Second Stage of the Employment Bill [NIA 9/08] be agreed.

The Employment Bill seeks to introduce new provisions on regulation of employment agencies and on the administration of, and legal representations before, the Industrial Court. The Bill contains measures to strengthen powers of investigation and prosecution of unscrupulous employment agencies; provide greater flexibility in making appointments to the Industrial Court; extend the right to legal representation to those appearing before the Industrial Court; and other minor and technical amendments.

My Department has had powers to enter and inspect Northern Ireland-based employment agencies since January 2006. Last year, 76 inspections were carried out with a view to enforcing employment agency regulations. The regulations set minimum standards for agencies with a view to protecting the work seekers and hirers that use them. Most agencies have been co-operative with the inspectors, and are happy to become compliant with the law. To date, my Department has not had to make any prosecutions.

However, as the Department's enforcement role develops, it is anticipated that it will need to prosecute some seriously non-compliant agencies in the future. It is important that my Department has a wide range of powers that can be used to adequately deal with those agencies. I therefore propose to strengthen the Department's powers of inspection and prosecution in a number of ways: first, by making offences under employment agency legislation triable at the magistrate's courts, as at present, or the Crown Court, thereby allowing for unlimited fines. Currently, the maximum fine that can be imposed is £5,000. It is felt that that is not enough of a deterrent because rogue agencies are making much more than that.

Secondly, the Bill will compel agencies or third parties such as banks to produce financial information. That will include the power to take copies of, or remove, any documents that have been inspected, and the power to issue written notice to third parties to provide documentation relevant to an inspection. Finally, the Bill will allow the Department's employment

agency inspectors to exchange inspection information with Her Majesty's Revenue and Customs (HMRC) national minimum wage compliance officers.

Those measures will not affect the vast majority of agencies that comply with the law, or those that are willing to quickly put right any inadvertent compliance issues. It is important, however, that the Department has powers to deal effectively with those agencies that routinely abuse vulnerable workers or break the law for financial gain. The proposals are therefore targeted only at agencies in serious breach of the law. In my view, the possibility of an unlimited fine is a powerful deterrent for those who would attempt to abuse vulnerable workers. Vulnerable workers will also benefit from the protections provided by increased powers to investigate an agency's financial affairs, and from clarification of the law to allow the exchange of information gained during the inspections with HMRC national minimum wage compliance officers.

I turn to the provisions in relation to the Industrial Court. The court is a tribunal non-departmental public body with statutory powers. Its main jurisdictions are concerned with resolving disputes relating to statutory recognition, or derecognition, of trade unions for collective bargaining purposes, and employee information and consultation rights. My Department provides a secretariat function to the court, and is responsible for the appointment of court members.

The legislation relating to the appointment of members of the Industrial Court and their terms of appointment is too restrictive in its current form. I therefore propose to replace those provisions with broader regulation-making powers, which would enable those appointments to be made via subordinate legislation, as opposed to the current primary legislation. That approach will afford sufficient flexibility to facilitate possible future changes with respect to the appointment of members of the court and the provision of the court secretariat, and will also enable those changes to be made in a more efficient and timely manner.

Another provision of the Bill relates to the right to legal representation before the Industrial Court. The Industrial Relations (Northern Ireland) Order 1992 imposes a restriction on legal representation for parties who appear in certain proceedings before the court. That restriction applies to seven of the court's eight jurisdictions. However, my Department received legal advice to the effect that failure to allow representation could lead to a challenge under article 6 of the European Convention on Human Rights, which establishes the right to a fair trial.

Consequently, I propose to amend the legislation to enable parties to engage legal representation if they choose to do so. That will apply to all but one

jurisdiction of the court: the provision of voluntary arbitration in relation to industrial disputes. That reflects the view of the Industrial Court that the provision of voluntary arbitration on industrial disputes would, by its nature, not benefit from legal representation.

The Bill contains a range of measures that the Assembly will want to consider carefully. It will build on my Department's work so far to provide an effective regulatory system for the private recruitment sector that will increase protections for vulnerable workers. Moreover, it will provide greater flexibility in the process of making appointments to the Industrial Court and allow for legal representation before the Industrial Court. I look forward to listening to Members' comments during the debate, and I commend the Bill to the Assembly.

**The Chairperson of the Committee for Employment and Learning (Ms S Ramsey):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his explanation of the Bill; he went into detail about the Bill and its clauses, and I do not propose to regurgitate everything that he said. However, I will provide a brief outline of the Committee's deliberations and views thus far.

As Members are aware, the Bill's First Stage was on Monday 22 June, and the Committee Stage will begin tomorrow. The Committee has already received briefings on the Bill as it progressed towards the Floor of the Assembly, and we will receive another briefing at tomorrow's meeting, where we can ask officials further questions. Again, I thank the Minister for making officials available and for his co-operation with the Committee.

The Department for Employment and Learning is responsible for the regulation of the private recruitment sector. Part of that regulation involves the inspection of local employment agencies and businesses. The Department employs two inspectors whose role is to inspect the relevant businesses and investigate any complaints made against them. If a business does not comply with the law, the Department has the power to prosecute in a Magistrate's Court or to apply to an industrial tribunal to prohibit an individual from operating or being concerned with the operation of an employment agency for a period of up to 10 years.

Clause 1 seeks to enhance the Department's powers of investigation and prosecution of particular serious offences under employment agency law, and clause 2 seeks to provide the Department with powers to compel agencies, and third parties such as banks, to provide financial information that is useful to the investigation of an agency. That power should be used sparingly and appropriately, and only when authorised at a certain level in the Department.

Clause 5 provides for clarification of the law on information sharing and will allow Revenue and Customs' national minimum wage compliance officers and the Department for Employment and Learning's employment agency inspectors to legally share and exchange information that could, for example, allow an employment agency inspector to highlight employment businesses' breaches of the National Minimum Wage Act 1998 to Revenue and Customs.

In its initial response to the Department on consideration of the Bill, the Committee indicated its support for its provisions. All Members are aware of abuses of the law by employment agencies; such abuses have been brought to everyone's attention by constituents. The Committee is particularly supportive of efforts to ensure that businesses act in strict accordance with the law and good practice. As is often said in the Chamber, the most vulnerable people in society look to employment agencies for help, and those groups are often exploited. We need to stop that.

The Committee is aware of abuses of wages, leave, maternity and paternity regulations, among others, and is committed to working with those bodies and organisations that seek an end to those abuses. The Committee has signalled its desire to help those vulnerable groups, and that remains the aim of members.

That aim is especially relevant in the current recession, during which unemployment has risen sharply and many more people are looking for work. People are desperate for work, and that can often be exploited by employment agencies.

Clause 3 of the Bill deals with appointments to the Industrial Court. The process for those appointments, as laid out in primary legislation, is quite prescriptive, and even small changes require lengthy legislation. In addition, no power is included under present legislation to remove or suspend members of the court. The Committee sees that as a serious issue, and we have already indicated support to the Department for the Bill's proposals in that area. The Committee highlighted to the Department the fact that members are receptive to the provisions that are contained in the Bill on the appointment process.

Clause 4 of the Bill makes provision for legal representation to be extended to all jurisdictions of the Industrial Court, except that which deals with the provision for voluntary arbitration in relation to industrial disputes. The Committee is aware of the legal advice that the Department received stating that a failure to allow legal representation might be a breach of the provision in the European Convention on Human Rights on the right to a fair trial.

The Committee is working closely with the Minister and the Department to look at workplace dispute resolution, and it is hoped that, along with the relevant

stakeholders, we can make proposals to allow for greater resolution of disputes so that they can be resolved at the most local level before resorting to the formal process.

Clause 6 of the Bill refers to the necessary amendments and repeals of other existing legislation that are necessary for the provisions of the Bill to be enacted as outlined in clauses 1 to 5. The Committee will examine the schedules to the Bill and consider the amendments and repeals as part of the Committee Stage of the Bill.

Clauses 7 and 8 deal with commencement and the short title of the Bill. The Minister already spoke about those clauses.

The Committee notes the Department's financial impact assessment, the human rights assessment and the equality impact assessment of the Bill. The Committee also notes the regulatory impact assessment, the Minister's legislative competence to introduce the Bill for the Assembly's approval, and the Secretary of State's consent for the Bill to be considered by the Assembly.

The Committee is satisfied that the Minister and the Department undertook extensive and meaningful consultation, the results of which are reflected in the Bill. I commend the Minister for that. We are grateful to the Minister for the opportunity that he granted to the Committee to act as a super-consultee, of which members took advantage. I appreciate the fact that the Minister allowed us to do that. We were given access to a synopsis of the consultation, and that helped Committee members to get their heads around some of the Bill's provisions. We were provided with comments before the provisions in the Bill were finalised, and we built a close working relationship with the Minister and the Department so that we can take some of the issues forward.

In December 2008, we wrote to the Department to say that members were content with the provisions of the Bill. The only issue that the Committee regarded as problematic was the proposal to amend legislation in relation to a trade union's ability to expel its members for reasons relating to membership of a political party. The Committee believes that such a provision would have far-reaching and potentially dangerous implications, and we wish to record our support for the exclusion of that provision from the Bill.

As I said, the Committee Stage of the Bill begins tomorrow. The Committee has indicated its broad support for the Bill's provisions. However, as is normal protocol, the Committee will seek views on the Bill through a public notice in the three main local daily newspapers. The Committee's scrutiny stage of the Bill will be thorough and, as should be the case

when any Minister awaits the outcome of a Committee Stage, the outcome should not be taken for granted.

It has been the Committee's approach to work closely with the Minister and the Department, where possible, to ensure that the Committee's views are heard and respected. Partnership, where appropriate, and constructive dialogue will continue to be the chief aims of the Committee in its relationship with the Minister and the Department.

**The Deputy Chairperson of the Committee for Employment and Learning (Mr Newton):** I thank the Minister for his account of this important Bill. The Minister and the Chairperson of the Committee have gone into the Bill in some detail, so I do not propose to go over everything that has been said.

The Chairperson has provided an outline of the Committee's thoughts and views on the Bill and, indeed, its approach not only to the Bill's development but to other aspects of its work. As has been said, it has taken a very constructive, partnership approach.

*1.00 pm*

The only issue that the Committee regarded as problematic was the proposal to amend legislation to enable trade unions to expel members for reasons that relate to political party membership. It is very much the Committee's stance that such a provision would have far-reaching and potentially dangerous implications. The Committee would like to record its support for the exclusion of that provision from the Bill. Many Members on this side of the Chamber wish that people would not join other political parties. That is unrealistic; it is certainly unattainable.

The Chairperson reminded the House that the Bill's First Stage was on Monday 22 June 2009. Its Committee Stage will begin on Wednesday 1 July. I regret very much that I will not be part of the team who will scrutinise the Bill. All Committee members appreciate that the Minister made his officials available and was extremely willing to do so. His co-operation throughout the process was essential.

During several debates in the House, Members expressed concern about the private recruitment sector and some of its practices. It should be clarified that that does not apply to all recruitment agencies. The Bill allows for the inspection of Northern Ireland's employment agencies and businesses. The Department's role under the Bill will be to inspect those organisations and to follow up any complaints that are made against them. The Bill will allow the Department to proceed against an organisation when a case is thought to be justified.

I want to mention only two clauses. Clause 1 will provide the Department with greater investigation and prosecution powers to deal with offences under



employment agency law and will also allow cases to be prosecuted in the Crown Court. Clause 2 deals with granting the Department powers to compel third-party agencies, such as banks, to provide financial information about an employment agency for investigation purposes. Limits will be placed upon the circumstances in which that power can be exercised. Authorisation will be needed from a senior departmental officer, most likely, I anticipate, an officer at director level.

The Chairperson has already brought to the attention of the House other areas of the Bill that I wanted to mention. In conclusion, therefore, the Committee is satisfied that the Minister and his Department have undertaken meaningful consultation in the creation of the Bill, and that has resulted in a capable Bill for the future of employment. In December 2008, Committee members confirmed in writing that they were content with the Bill's provisions.

**Mr Attwood:** I apologise that I will not be able to stay for the remainder of the debate. I join my Committee colleagues in welcoming the legislation's proposals. In its own way, the Bill proves the value of devolution and Assembly debate. If I recall correctly, several months ago, an Assembly debate dealt with people's difficult experiences of the conduct of employment agencies in various parts of the North.

As I said, the Bill also proves the value of devolution. The Assembly is able to fine-tune and extend legislative provisions to protect people who are at risk and vulnerable.

I see the legislation in the context of a rights-based and recession-based response. Indeed, if one considers the recent situation, one can see that apprentices do not receive the minimum wage. The Assembly should attend to that matter in due course. If one considers the workers in Nortel or Visteon, one will see how, in a recession, their rights were, and continue to be, denied to them. Consequently, the proposals to protect the rights of workers during a recession seem to be well timed, and they will fulfil the purpose for which they are intended.

I wish to comment on three provisions in the Bill. First, I agree with the Minister that it is important to have unlimited fines for people who are caught under the Bill's provisions. Yesterday, in New York, Madoff was given a maximum prison sentence, which sent out a strong message that people who abuse their responsibilities and exploit individuals who may have been vulnerable will see the maximum weight of the law imposed on them. Similarly, under our terms of reference in the North, there will be unlimited fines. That will send out a strong message to those who abuse vulnerable people that the courts will be able to impose unlimited penalties. If that is going to be a provision of the legislation, is the Minister satisfied

that we will have the enforcement architecture in place so that, in the event of abuse and workers being exposed, the regulations will be fit for purpose, and the worst offenders may visit the worst penalty by way of unlimited fines?

Secondly, I agree with the Minister that the extension of legal representation in the Industrial Court to seven of the eight jurisdictions is appropriate. That is consistent with European provisions, and the exemption for voluntary arbitration makes good sense and is good practice. In that regard, is the Minister satisfied that the provisions to which the Chairperson and the Deputy Chairperson referred, wherein people could be excluded from a trade union based on their political membership, are on the right side of the Human Rights Act 1998 and European provisions? There may be political entitlements under the European Convention on Human Rights, within which the legislation may be sitting in some tension. The draft legislation will have been proofed for human rights issues, but I ask for reassurance that the issue of political party membership and expulsion from an organisation is compatible with human rights provisions.

Thirdly, I welcome the provisions to enable information to be extracted from employment agencies. If one considers other good practice in the North, one will see that the ability to compel disclosure is a mechanism that gets people who may not be the worst offenders to improve their conduct and gets the worst offenders to visit the worst penalties. I rely on what we see in respect of extracting information when it comes to criminal assets or employment patterns in various organisations and employer groups. Extracting information is one mechanism to ensure that people begin to behave themselves properly, and when they do not behave properly, the law takes its course.

Therefore, I join with my erstwhile colleagues on the Committee for Employment and Learning and welcome the legislation, and I trust that the provisions for trade union membership may yet be amended.

**Mr Lunn:** I am not a member of the Committee for Employment and Learning; I am standing in for Anna Lo, who cannot be here today. Anna has suffered some serious threats in the past couple of days, which I am sure all Members totally condemn. That is not new to politicians, but this case had a particularly ugly and disgusting aspect to it in a racist sense. I hope that the message from the House is that that is to be absolutely condemned.

Having admitted that I am not a Member of that Committee, I also must admit that I am not very familiar with this piece of legislation. However, we strongly welcome and support the Bill. It is noticeable that there is support for the Bill from across the Committee. I have not heard any dissent whatsoever. In fact, it makes me

want to ask for a transfer from the Committee for Education to that Committee, because it would be a welcome change to see a bit of agreement.

We welcome the toughening of various aspects of employment law. We agree that there is a need to enhance the Department's powers of investigation and prosecution, as we feel that that will help to provide more effective enforcement of the law and bring more employers into line before enforcement is even necessary. We also strongly agree that there is a need to enhance the Department's sharing of information with Revenue and Customs commissioners in order to ensure minimum-wage compliance. That must be a growing issue in Northern Ireland, given the changing nature of our workforce. The whole idea of Departments exchanging information is not new. As you know, Mr Deputy Speaker, the Public Accounts Committee has strongly advocated that for some time.

As regards the issue of a maximum fine of £5,000, the fine must fit the crime, and we must acknowledge that in the modern world, a much bigger fine than that may be necessary. The Crown Court has been given the power to decide that.

I do not know what was going on in 1992, but there must have been a good reason for not allowing legal representation in the Industrial Court. I do not what the reason was; however, I am glad to hear that proper representation will now be allowed.

We strongly support the legislation. I really do not have much more to say about it than that. It will deliver greater protection for employees through improved deterrents and enforcement of the law. It will also bring us into line with European law, and that is always a good thing. Perhaps we had to be prompted by Europe in this case, but it is still a good result.

**Mr Easton:** I intend to keep my contribution short, as there seems to be quite a bit of consensus. I generally welcome the Second Stage of the Employment Bill, which is a matter that, I am sure the Minister will agree, the Committee has considered diligently. Many complex matters were subjected to rigorous analysis, and I pay sincere tribute to the many people who responded to the consultation process. Their contribution has aided and challenged our thinking and, as such, has been very helpful to the Committee. In the course of those difficult considerations, the mind of the Committee has been directed towards addressing the balance of rights that so much of our thinking on human rights leads us to consider.

We looked at how to ensure that legal representation complies with the European Convention on Human Rights. Employment agencies play a valued role in economic life, making a necessary contribution to business affairs. Most are well run and compliant with their role and responsibilities and should be commended

for being so. However, a minority are falling short of the mark. We need to be able to take requisite action; that is what society demands of us and that is what we are obliged to deliver.

I have not gone into detail on the matter, because time does not really afford me that possibility. However, in addressing the amendment of trade union law for employment agencies and businesses in order to change investigatory powers and the penalty regime, the Committee has correctly analysed all the responses favourably and, I think, has arrived at sound conclusions.

*1.15 pm*

Although some feel that we should go further in certain areas and others have expressed criticisms, the conclusions that have been reached are balanced, proportionate and meet the identified needs. Therefore, I feel confident in recommending the Bill to the House.

**Mr Butler:** Go raibh maith agat, a LeasCheann Comhairle. Tá mé sásta labhairt ar an Bhille seo inniu.

I echo Trevor Lunn's comments about the threats to Anna Lo. I am sure that Members are united in their condemnation of the threats to Anna Lo, who is a member of the Committee for Employment and Learning. Her election to the Chamber was a welcome step, because she broke traditional voting patterns and represented a section of the community that had previously not been represented. Therefore, we should all condemn those threats and support her.

I welcome the Minister to the Chamber. Members are broadly in agreement that the changes that he announced are welcome, particularly those that affect employment agencies. However, as the Deputy Chairperson said, not all employment agencies treat their workers badly; some provide an opportunity for people to gain employment. There have been concerns about agencies exploiting workers, particularly people who are coming to these islands for the first time. There are also issues about the application of the national minimum wage, and I am glad that the Department will have greater powers to investigate and prosecute those who breach the law.

I wish to ask the Minister about changes to article 38 of the Trade Union and Labour Relations Order 1995, which concerns membership of trade unions. The Department is looking at a number of options and has taken legal advice. I am concerned about whether those changes are compatible with the Fair Employment and Treatment Order 1998.

Legal representation before the Industrial Court is another welcome change, but I recognise that there were varying views on that measure: the Law Society said that the measure did not go far enough, and the trade unions felt that people did not need legal representation. What is the Minister's view on that?

Representatives of the Law Society gave a presentation to the Committee on that matter in which they outlined their concerns, so I welcome the changes.

The other major issue was the funding of political parties by trade unions. The legislation that deals with that here has been virtually unchanged since the 1920s. There is concern that people here are contributing to trade unions that are funding political parties that either do not organise here or whose political objectives do not relate to here. Although the Employment Bill does not address that issue, there is provision to do so in the future. What are the Minister's views on that?

We are broadly supportive of the Bill. The Committee is still working on the matter of workplace dispute resolution, which will come before the Chamber in the future.

**Mr McClarty:** I welcome the opportunity to speak on a very important piece of legislation that represents a major step forward in protecting employees from misconduct on the part of employers. I commend the Minister, Sir Reg Empey, for his ongoing and sterling work in that field and congratulate him on this vital piece of legislation.

I welcome the improvement to the system of fines from a maximum of £5,000 to an unlimited sum. A fine of £5,000 is simply not an adequate deterrent to an unscrupulous employment agency, which will almost certainly make substantially more than that in a year from such exploitation. Giving the courts the power to hand down a fine that they deem fitting to the level of wrongdoing is an entirely proportionate and welcome provision.

We must recognise the role that the legislation will play in making Northern Ireland a more welcoming place for our minority communities. The shadow of racism, which has been all too apparent in recent days, has fallen over us, and it is important that we recognise how the Employment Bill will affect the rights of minorities who will more than likely be employed disproportionately by agencies. By protecting that vulnerable section of our community from the exploitation to which it is open, we go a long way to making Northern Ireland a fairer, more meritocratic, more economically active and better place. It is incumbent on this place to do all that it can to eradicate racism and exploitation on the grounds of race. The Bill takes us another step on that road, and the Minister is to be commended for bringing it before the House.

In discussing the matter, it would be highly remiss of me, representing the Ulster Unionist Party, not to mention the deplorable threats that have been meted out to the Member for South Belfast Ms Lo. We must all ensure that Ms Lo knows that we stand with her against such hatred.

I ask the Minister to give us an assurance that agencies that do not make material breaches of the law but that are perhaps making inadvertent technical breaches will not be punished heavily for small misdemeanours. I hope that he will assure the House that his Department will keep in mind the need to protect small businesses from legislation that is designed to crack down on major wrongdoing.

The second major provision of the Bill gives the Department for Employment and Learning, under a properly constituted investigation, the power to compel agencies and third parties to reveal financial details, including bank statements. However, in seeking to determine whether an agency is systematically and deliberately flouting the law, particularly in relation to the minimum wage, it is clear that that power may be used for other purposes. Although I welcome that provision, I ask the Minister to clarify what safeguards will be put in place to prevent the abuse of that power. I also ask him to outline how the House can be sure that we are not writing a blank cheque for state harassment. That is particularly relevant when one considers that that provision may break data protection rules. I ask the Minister to clarify that.

The Employment Bill provides additional powers to the authorities that will allow for greater information sharing between agencies without breaking the confidences that, rightly, apply in other areas. I ask the Minister to give guarantees about the safe sharing of information and to assure us that information will be shared responsibly.

I welcome the provision that allows the Department for Employment and Learning to make changes to the appointment and terms of the members of the Industrial Court by regulations, which are, of course, always subject to scrutiny by the Committee for Employment and Learning and the Assembly. The Bill also provides a mechanism for the Department to suspend or dismiss a member of the Industrial Court. Such a mechanism is clearly proportionate and necessary.

It is also good to know that the somewhat odd ban on legal representation during most proceedings of the Industrial Court is to be lifted. A person should be permitted legal representation during such action, and it is right that we are moving to a normalised position on that.

**Mr P Ramsey:** Like other Members, and on behalf of the SDLP, I condemn the threats that have been made against Anna Lo. I extend our support not just to Anna but to her family and colleagues, who are working in difficult times on the issue of racism.

As a freshman to the Committee for Employment and Learning, I will make some minor comments about the Employment Bill, which has come as a welcome relief to so many people. The Bill will be particularly



welcomed by, and is important to, temporary workers, who are often non-nationals who work for companies that are not registered, regulated or even established.

Those companies may well be temporary in nature. Such workers will often be unfamiliar with Northern Ireland and its various support agencies, such as the Labour Relations Agency, Citizens Advice and local political party advice centres. They may have no knowledge of workers' rights in this region or country, and will probably not be members of a trade union. In many cases, they may not have knowledge of the English language.

Will the Minister outline how such workers and agencies will be identified; how the agencies will be scrutinised; and how the workers will be communicated with and informed of their rights? Can they be assured that they can make a complaint without prejudice or repercussions from their employer? If so, how will they be assured that that is the case? Given that there is likely to be an increase in the number of cases now going to the Industrial Court, will the Minister outline what extra funding will be made available to that court?

On a separate but similar issue, my colleague Alex Attwood made reference to Visteon workers being denied their rights. Yesterday, a number of workers from Nortel visited the Stormont estate. They are in similar circumstances to the Visteon workers. Nortel is now in administration, and the workers find it outrageous that they have been denied their fundamental rights to redundancy payments and pensions, while, at the same time, the company has awarded huge bonuses to its directors. I realise that that issue is not specifically covered in the Bill that we are debating, but one would imagine that the Minister would have a role in making appropriate representations to the Minister for Work and Pensions in Westminster, Pat McFadden, who clearly has a role to ensure that those people, who have worked for a company for decades and invested their lives in that company, are assured of their employment rights and entitlements. Those people need to be given some level of comfort as they near the end of their working age. I understand that some of the workers could be down almost £30,000, and the taxpayers of Northern Ireland will have to make up the difference in that money. That is a separate issue, but it is an important one. The Committee for Employment and Learning will have a role in that, and the Minister should take a more proactive approach in giving some comfort to those workers.

**Rev Dr Robert Coulter:** I welcome the consideration of this important piece of legislation. The Ulster Unionist Party is in Government to deliver and to make Northern Ireland a better place for all its citizens. It is always a pleasure to be able to speak to a Bill that shows the Ulster Unionist Party at its best and doing what it does best — delivering. The Minister demonstrates what

having the Ulster Unionists in Government really provides.

My friend the Member for East Londonderry Mr McClarty touched on the matter of racism. That matter cannot be overstressed in any way. The exploitation of migrant workers is a terrible scourge on Northern Ireland, which surely adds to the forces of racism in society. The national minimum wage provides protection for everyone, and that principle is vital. Migrant workers represent the most vulnerable component of our workforce. They may not be fully aware of their rights to the minimum wage, and they may require our help in achieving a fair deal.

The Bill provides the Department with the power to share information with other statutory agencies so that agencies and other employers who seek to exploit their staff can be brought to book. That, too, is a welcome achievement of the Bill.

I seek clarification from the Minister about whether the provision also represents a change to the rules that govern the agricultural minimum wage or the Gangmasters Licensing Authority?

The changes to the Industrial Court are also welcome as they provide the Department with a power, subject to scrutiny by the House, to alter the appointments process for members of the Court. That is a welcome loosening of the quite tight methods that are employed through the existing primary legislation.

I welcome the Bill, and commend it to the House. I look forward to its Committee Stage with interest, as that will provide the opportunity to look at the detail of the Bill to see what improvements can be made.

I look forward to the Minister's response to the debate and hope that the Bill can be put on the statute book in a consensual manner.

*1.30 pm*

**The Minister for Employment and Learning:** Before I respond, I ask the Member on the Alliance Party Benches, Mr McCarthy, to pass on to Mr Lunn, who is not in the House at the moment, my personal condemnation of what happened to Anna Lo overnight and before. I am sure that all Members, including members of the Committee for Employment and Learning, on which she sits, will join in condemning what has happened.

Sadly, a number of Members has suffered attacks in recent weeks, including on their homes. Mr Ramsey, who is joining the Committee, needs no introduction to that subject, having been subjected to attacks over the years. Although Members deserve public criticism as politicians, the risks that many Members inadvertently run are sometimes forgotten. Perhaps those sentiments could be passed on to Ms Lo in her absence.



I thank the Committee members and other Members who spoke in support of the legislation. As one who was involved in the architecture of the Committees, I believe that Committees provide an opportunity, particularly if given the chance, to influence significantly the legislation that flows through this place. Along with other party leaders, I believe that Committees could play further roles with legislation. My colleague Danny Kennedy, a Member for Newry and Armagh, has put on paper some thoughts on that matter, because the Committees' legislative functions could be even greater. However, that will be a discussion for another day.

I return to issues that Members raised. Not all of them are in the House, so I will deal with what was said issue by issue. Mr Ramsey asked how workers will be made aware of the changes. The changes will appear on the Department's website in various languages. Guidance will be issued to organisations such as Citizens Advice, and the Labour Relations Agency will be fully informed. Furthermore, material will be available in a number of languages. I hope that that will assist people in understanding the position.

Mr Coulter spoke of the Gangmasters Licensing Authority. The Gangmasters Licensing Authority is a national issue and not a devolved matter. Although co-operation takes place between agencies here and the Gangmasters Licensing Authority, the Department of Agriculture and Rural Development is the part of government that most interfaces with the Gangmasters Licensing Authority. We will continue to work closely with the authority, even though gangmasters legislation is not a devolved matter.

Mr Attwood and others raised the matter about trade union law on political party membership. The decision referred to current or future membership of a political party. Seeking to incorporate that into Northern Ireland law would appear to be incompatible with the Fair Employment and Treatment (Northern Ireland) Order 1998, which prohibits discrimination on the basis of political opinion.

The Department took legal advice on the matter. Under section 60 of the Northern Ireland Act 1998, any provision of an Act is outside the Assembly's legislative competence if it discriminates against any person or class of person on the grounds of religious belief or political opinion. That is why the provisions on amending trade union law, which were consulted on, are not included in the draft Employment Bill. Indeed, Committee members made that point repeatedly during the consultation period. There are clearly major issues and, having taken advice, those provisions have been dropped from the legislation.

We were also asked whether the Department is satisfied that sufficient architecture exists to enforce the Bill. We are confident that that is in place. A second

inspector has been appointed, and with the new power, we believe that that person will be well capable of exercising the necessary duties. As I previously pointed out in answer to a Member's question, there have been 76 inspections to date. However, those inspections will be made much more effective by several provisions of the Bill, including the removal of a limit on the size of fines, to which Mr Attwood referred.

Moving to Crown Court judgements does not necessarily mean that more people will be prosecuted or convicted. However, it means that an employment agency will know that it will face unlimited fines if it acts outside proper practice; the difference is that fines will be unlimited. A court will be able to determine a fine according to the size of the organisation concerned. A fine of £5,000 may be comparatively minor for some organisations but, with no limits, effective fines can be imposed on both large and small organisations.

I join Mr Newton and other Members in saying that, by and large, the sector is populated by highly reputable companies that serve a major function by meeting the demands of the labour market. The Bill is not intended to be a witch-hunt, but issues have been raised by Members in more than one debate over the past 18 months. Members repeatedly expressed concerns to me, which they repeated at Committee meetings, that vulnerable people could be exploited. The provisions that relate to the disclosure of information will permit the Department to establish whether people are breaching the law by, without permission, deducting money from wages for housing, for example. Members may recall a number of debates in which it was pointed out that people were being tied to housing at exploitative rates of rent.

Neither I nor the House intend the provisions of the Bill to be abused in any way. A senior departmental official will have to authorise the removal of any material, so that will not be done routinely or for frivolous purposes. That provision is designed to enable us to get the disclosure of information. It is ridiculous that HM Revenue and Customs, the Department and others cannot communicate the relevant information to one another. That is not acceptable in this day and age, and the consequence is that exploitation can go unpunished.

The Bill is not intended to be a snooper's charter or to be used in a heavy-handed fashion. It is intended to be used to get to the truth in cases where we believe that prosecution is justified, and to provide the Department with a reasonable prospect of successfully prosecuting people for exploitation. The existence of a provision for access to information ought to be a deterrent. That is the purpose of the legislation, and that provision will be enabled if the legislation is passed.

I am, therefore, satisfied that no exploitation of any company is intended. The intention of the Bill is that, if there is reason to believe that serious misdemeanours

are occurring, the Department can access material, such as financial information, that is critical to tracking people down in this day and age.

Mr Attwood mentioned the Madoff case, and, although that is in a different league, he made a valid point: had the relevant powers been exercised in that case, perhaps fewer people would be in such an unfortunate position today.

I am confident that it is common sense to have the additional power and the ability to communicate with HM Revenue and Customs. The legislation is not intended to breach anyone's rights. Tomorrow, when the Committee begins its detailed scrutiny of the Bill, it will, as is its wont, consult and seek comments from third parties. Anyone who feels threatened by the provisions will, no doubt, have the opportunity to draw that to the Committee's attention. If necessary, any provision can be reconsidered at a later stage.

The Bill is a proportionate, balanced response to dealing with the risk. On at least two occasions, the House made clear its view that it wanted to ensure that all the loopholes were closed and that people would not be exploited. The Bill does that by updating the provisions to match the current circumstances. It achieves the objectives that Members outlined on several occasions in debate.

The abilities to inspect and to obtain and share financial information cover the bases in solving the existing underlying problem and preventing its recurrence. I fear that, now that jobs are scarce and people are in difficulty, the opportunity for exploitation may rise. The Bill is, therefore, a timely piece of legislation that will move to close the existing gaps.

The Bill demonstrates that, through devolution, the Assembly is able to introduce measures that it considers appropriate for the particular circumstances of the labour market. I repeat that I do not want any employment agency to feel that it is under any cloud or threat; that is not the case. Employment agencies are in an excellent sector and do a good job. However, as in all walks of life, some people will always take advantage and will be willing to exploit, and the Bill is aimed at that tiny minority.

The Bill is also intended to raise and maintain high standards. Mr McClarty asked whether companies that legitimately go about their business would face any difficulty should they commit minor misdemeanours. My Department and agency inspectors are conscious that most employment agencies treat their workers fairly. Experience shows us that the majority of them are willing to work with us to ensure that practices are within the law. The Department's approach has always been to aim to help agencies to comply with the regulations. We are interested in using the powers only when an agency is exploiting its workers and is seriously

non-compliant. The powers, therefore, will be used only as a last resort. There is no intention of going on a witch-hunt; that is not the objective of the legislation.

Rogue agencies that take advantage of vulnerable workers for profit must be dealt with effectively. The Bill adds to the suite of measures to address that problem. It is also essential for the private recruitment sector in Northern Ireland that my Department is able to investigate and punish rogue agencies effectively. By breaking the law, such agencies can put themselves at a competitive advantage over compliant agencies. That is not a new phenomenon and exists in different walks of life.

People play by the rules, but others sometimes cut corners to seek a competitive advantage, particularly in the current labour market conditions. It is in the interests of maintaining standards and of the vast majority of law-abiding agencies that those measures exist to bear down on people who seek to exploit their position.

*1.45 pm*

The Industrial Court is an important body in the field of employment relations, so it is sensible and forward-thinking to ensure that any future change in relation to the processes for appointments to the court can be made within a less restrictive framework. That is a measure to give us a bit more flexibility because we currently rely on primary legislation. If we need to change anything, the current position would require a completely new Act. This measure will prevent us from having to go down that road.

The other major point to which a number of Members referred is the right to legal representation. Considering European law, it is perfectly clear that that right has to be provided, with the exception of the circumstances for voluntary arbitration. In all of those areas, we have covered most of the points that Members made.

I ask for the support of the House to agree the Second Stage of this Bill and send it to the Committee for Employment and Learning for more detailed scrutiny.

*Question put and agreed to.*

*Resolved:*

That the Second Stage of the Employment Bill [NIA 9/08] be agreed.

## **Local Government (Miscellaneous Provisions) Bill**

### **Second Stage**

**Mr Deputy Speaker:** Before calling the Minister of the Environment to move the Second Stage of the Local Government (Miscellaneous Provisions) Bill, I remind Members of their responsibilities in relation to the registration and declaration of interests as set out in Standing Order 69 and in the code of conduct and the guide to the rules relating to the conduct of members.

**The Minister of the Environment (Mr S Wilson):** I beg to move

That the Second Stage of the Local Government (Miscellaneous Provisions) Bill [NIA 10/08] be agreed.

As its name suggests, the Bill contains a number of miscellaneous provisions concerning local government legislation. Essentially, the provisions are for two main purposes: to enable councils to enter into long-term service contracts and to enable my Department to make some preliminary arrangements for the reorganisation of local government in the run-up to 2011.

The need for councils to have powers in respect of long-term service contracts arose because of the EC landfill directive 99/31/EC. I am sure, Mr Deputy Speaker, that you are well aware of that piece of legislation, which requires member states to reduce the amount of waste being sent to landfill. The directive sets targets for member states to meet between 2010 and 2020. It is imperative that councils meet those targets to avoid the possibility of incurring infraction proceedings.

Significant new waste facilities need to be constructed in Northern Ireland so that councils can meet the landfill targets. One of the options that is being considered involves the private sector building the necessary infrastructure and providing recycling services to councils by means of long-term contracts, for example, public-private partnerships or private finance initiative contracts. Those contract provisions need to be in place before the end of the year to ensure that the private sector has confidence in the ability of councils to enter into the long-term service contracts, to ensure that the contracts can be awarded in time for the new facilities to be built, and to ensure that the recycling services will be available to councils so that they can meet the EC landfill targets.

The contract provisions of the Bill will clarify the power of councils to enter into long-term service contracts with the private sector and therefore will remove any concerns that contractors and financiers may have had about the matter. The Bill will also enable councils to vest land for waste management purposes and will apply the contract provisions and the

power to vest land to Arc21 and the Southern Waste Management Partnership (SWAMP) 2008. Those are two of the three waste management groups that have been established by councils to oversee the procurement of the new waste infrastructure, and both have constituted as bodies corporate.

As I mentioned, the Bill also contains provisions that will enable my Department to make some preliminary arrangements in preparation for, and in advance of, the reorganisation of local government in 2011. Those provisions will enable the Department to do three things. First, to issue directions to existing councils as a means of control, so that, in the lead up to reorganisation, councils will not be able to dispose of land or enter into capital contracts above specified values, unless they have the consent of their statutory transition committees.

Secondly, the provisions enable the Department to make regulations for the establishment of statutory transition committees for new councils, including regulations for the appointment of members to the committees, the functions of the committees, and the procedures to be followed by the committees.

Thirdly, the Bill will make regulations for the introduction of severance arrangements, if they are considered necessary, for councillors who do not stand for re-election.

As regards the disposal of land and capital contracts, it makes good sense that an existing council should not dispose of land without first ensuring that the new council does not wish to retain that land. It is also sensible that the existing council should not enter into a capital contract without first ensuring that that contract suits the needs of the new council.

My Department recently carried out separate consultations in respect of severance and statutory transition committees, and officials are considering the comments that were received. Comments on the former will be helpful to me or my successor in reaching a conclusion on the introduction of severance arrangements. Comments on the latter will inform the drafting of the proposed regulations.

My successor will announce the decision on severance arrangements in due course, and, if such arrangements are to be introduced, he or she will consult with the Environment Committee regarding any proposed regulations. He or she will also consult the Environment Committee in due course on the proposed regulations for the statutory transition committees.

**Mr Weir:** I declare an interest as a member of North Down Borough Council, as the vice-president of the Local Government Association, as a member of North Down and Ards transition committee, and as a member of policy development panel A. At this point, I feel tempted to just sit down.



I see that the incoming Chairperson of the Environment Committee is in the Chamber but, in the absence of the current Chairperson and Deputy Chairperson, I have been volunteered, somewhat in my absence, to speak on behalf of the Committee. In order to settle the nerves of some of the Committee officials, I assure them that I will not fulfil my threat to ad lib my remarks; I will stick to the script given to me by the Committee. I see that the Minister seems to be a little disappointed by that.

On behalf of the Committee for the Environment, I thank the Minister for introducing the Local Government (Miscellaneous Provisions) Bill. The Bill, or, more accurately, the original contracts and compulsory purchase elements of it, was first introduced to the Committee in September last year. Members were advised of the need for, and the nature of, its provisions, and some time was spent on considering them in detail, particularly the issues of vesting powers and how to get best value from the Bill.

The Committee also considered the timetable, which is an important issue, because, in recognition of the urgent need for legislation, the Committee agreed that it would not seek an extension to the Bill's Committee Stage. The Committee had hoped that the Bill would have been introduced before now, but it is aware that much has happened to the Bill since it was first considered by the Committee. The Committee also knows that there has been a concerted effort to bring the Bill to the House this side of the summer recess, to give the Committee the benefit of extra time. I commend the Department for that.

The Committee is aware that the contracts and compulsory purchase elements of the Bill provide for establishing long-term public-private partnership arrangements that are necessary for, but not confined to, waste management, and will go some way towards helping Northern Ireland to meet its obligations under the European waste directive.

However, when the Committee was first advised on the detail of the Bill, key waste management stakeholders raised concerns that its provisions were insufficient for their needs. Subsequently, the Committee was relieved to learn that the forthcoming waste Bill will address those concerns. The Bill is required to engender confidence in the market and to take account of EU infraction deadlines for dealing with waste issues. Indeed, in the past, concerns were raised about the history of delays in establishing PPPs, all of which also adds importance to the legislation and the need for urgency.

At the same time that the Committee was receiving advice about the contracts and compulsory purchase elements of the Bill, it was informed about the severance and transition committee arrangements that were originally to be included in the Local Government

(Finance) Bill. In April 2009, members were advised that, because of time pressures, those elements, once consulted on, would be included in the contracts and compulsory purchase component of the newly named Local Government (Miscellaneous Provisions) Bill.

Last week, the Committee had its first briefing on the scope of the new Bill. By that stage, a fourth element had been added: a requirement for existing councils to seek approval from other councils, with which they will be in partnership under the new district council arrangements, before disposing of land or making purchases above a certain value. The Committee accepted the concept of, and the need for, that element, but it sought more information about the details.

The Committee accepts the general concepts of the Bill. However, at Committee Stage, it will seek clarification on a range of matters that are encompassed by the Bill, such as the scope and restrictions of vesting powers; the control and disposal of existing councils' contracts; the inclusion and exclusion of the waste organisations; the timescale for statutory transition; the method of establishing the statutory committees; and the setting of rates, including by whom, and when and how they will be established. The Committee also asked about the implications of the power and timing of specific clauses and about the definition of "predecessor councils". Members look forward to receiving clarification from the Department on all those matters.

On behalf of the Committee, I welcome the principles of the Bill and look forward to the Committee contributing to ensuring that a good, workable piece of primary legislation ensues.

I shall now add a few words on behalf of the DUP. It is clear to anyone who has worked in local government, particularly someone who has observed years of direct rule, that waste management was perceived by many in direct rule as something of a Cinderella service. Consequently, councils' ability to enter into contracts was placed on the back burner, even in the Department of the Environment (DOE). As a result of some of the pressures that Europe has placed on Northern Ireland, a massive catch-up has been required on waste management.

In the past, the challenges of waste management have been met as productively as possible by local government representatives, particularly those working through the three waste organisations. However, those councillors were not always given the support that they required, the end result being that the subject slipped down the agenda. An advantage of devolution is that, through the Bill, we have been able to move forward rapidly on the matter.

The powers to award waste management contracts to private companies, which, at times, were unnecessarily



circumscribed, and the vesting powers that will be given to councils are welcome steps forward. We will want to ensure that those powers are operated in a proper fashion and applied in the correct way. Nevertheless, the Bill is an undoubted major step forward in the treatment of waste management, and it is welcomed by the three waste organisations.

Two other elements of the Bill have been mentioned: transition and severance.

2.00 pm

I will discuss those elements in reverse order. I will not scatter the House by talking about severance; if I did, many Members would have to disappear because of a conflict of interest, and that would give the Chamber an interesting appearance. Severance is the issue that dare not speak its name, if I may use that phrase. The provisions of the Bill that deal with it will essentially bring forward enabling powers. That is the right way to proceed, and the Committee for the Environment can tackle that directly.

Assuming that those enabling powers lead to proposals on the enactment of severance, the merits of any severance itself, as well as the process by which it is brought forward, will need to be examined. Above all other matters, severance is one in which a lot of Members have a clear and direct financial interest. Given that, special procedures may need to be put in place.

As regards transition, we are moving slowly through the review of public administration (RPA) process. The policy development panels and the strategic leadership board did a lot of cross-party work to ensure that a high level of consensus is reached before the transition stage begins. The Bill is an additional step in that process. The work that the policy development panels and the strategic leadership board did has meant that, on a range of transition issues, particularly the enabling legislation, consensus has been reached on a number of the positions. That should smooth the transition and the movement towards the statutory transition committees.

Those of us who have served on statutory transition committees will know that they have been useful tools in helping people to get to know each other and the workings of the individual councils. However, we also know there has probably been some frustration about the fact that we have not been able to get down to the nitty-gritty of moving towards a single body. Therefore, this is an important step forward in the RPA, and the building blocks are gradually being put in place for its implementation. I welcome the proposals on the transition committees, which again, are largely enabling powers to which we will move.

Finally, I think that this is the last occasion on which the Minister will appear in the House in his capacity as the Minister of the Environment. I thank the Minister

for all his efforts, particularly those on local government reform. He can look back with pride on the legacy that this Bill and others will leave in moving the RPA process forward.

In respect of both waste management and the RPA, the point is to deliver the best to all our citizens, and we should never lose focus of that. In all its elements, the Bill will move that forward. Clearly, we will scrutinise the detail of the Bill, but it is an important and productive step forward for local government. I commend the Bill to the House.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I declare an interest as a member of Ballymoney Borough Council. The Local Government (Miscellaneous Provisions) Bill is an important piece of legislation that gives councils a number of new powers and will help them in their efforts to meet recycling targets. It also prepares them for the transition to the new councils in two years. The Bill will allow councils to enter into contracts and to vest land. We have some concern about the power to vest land, and it is important that safeguards accompany that particular proposal.

The Bill will also provide for severance payments to be made to councillors who resign during the council term. That will lead to the face of local government being changed radically. Allowing council members to avail themselves of a co-option will also go some way to changing the face of councils. Perhaps the Minister can inform the Assembly of how that situation now stands.

District councils face a very difficult challenge in meeting landfill directive targets. We need to ensure that they are equipped to take on and meet those targets. Ensuring that councils can enter into major contracts for recycling facilities that deal with waste is essential in moving forward. We cannot leave anything to chance or run the risk of being subject to European infraction proceedings that will hit the local ratepayer in the pocket.

**Dr Farry:** I am grateful to the Member for giving way. He quite rightly set out the importance of having a proper legal framework. Does he also recognise the importance of having political leadership and of politicians following through and making the decisions that are necessary to put the infrastructure in place that will allow Northern Ireland to meet its recycling and other waste targets?

Bearing that in mind, does Mr McKay believe that Belfast City Council's decision not to proceed with the energy-from-waste facility at the North Foreshore is in the interests of the ratepayers of Belfast and the taxpayers of Northern Ireland?

**Mr McKay:** I thank the Member for his intervention. He is right; we need to have the appropriate infrastructure in place, but we must also be mindful of the environmental impact of some of the proposals.

The establishment of statutory transition committees is necessary to ensure a smooth transition to the new council model. A significant amount of good work is being undertaken, and that will continue until the new councils are set up. That work will help to ensure that the new councils hit the ground running and have an immediate effect. Much important work is being done. I commend councillors for the work and the time that they have invested in the process. I commend the Bill to the House.

**Mr Deputy Speaker:** As this is the first occasion on which the Assembly will hear from Mr Kinahan, I remind the House that it is the convention that a maiden speech is heard without interruption.

**Mr Kinahan:** It is a honour and privilege to deliver my maiden speech, especially on local government — a subject that is close to my heart. Before I continue, it would be remiss of me not to pay tribute to my predecessor. On behalf of my party, I thank David Burnside for his many years of hard work in the South Antrim constituency as a Member of Parliament and as a Member of the Assembly. I know that Members will miss the Monday morning points of order and, especially, his quick and sharp mind as he stood for unionism and unionists at every opportunity. I know that I will struggle to match his eloquence and charisma, but I will enjoy trying to do so.

I relish the opportunity to represent all my constituents, and I will work as hard as I can to ensure that South Antrim returns an Ulster Conservatives and Unionists — New Force member to Westminster and more Ulster Unionists to the Assembly. I am particularly proud to serve in the House as the son of an Ulster Unionist who was also a member of a Northern Ireland legislature. My father was elected to the Belfast Clifton seat in 1958, and I am proud to try to emulate him. I was born in that year, and I am told that he complained often to my mother that other Members were always talking during his speeches. How little that has changed.

My home has always been in Templepatrick, apart from the time of my birth in the Royal Victoria Hospital in west Belfast. My father was proud of his cross-community support and of his family business, which was based in the Cullingtree Road and the Glen Road, as I am of mine.

I am told that it is traditional to talk about my constituency. For the benefit of those Members who do not know, Antrim, of course, is the best county in Northern Ireland. South Antrim is one of the most beautiful parts of the world and is inhabited by some of the friendliest and hardest-working members of society.

I will digress to say something that needs to be said in the shadow of the recent race attacks. I once met a backpacker who had travelled around the world three times, and he was insistent that the Northern Irish were

the friendliest people anywhere, and he said that before he knew where I came from.

Northern Ireland has its problems, but the attacks of recent weeks are not a fair reflection of our people and our society. It is incumbent on all who serve in this place to work towards eradicating all forms of hate in our society. As, I am sure all Members were, I was appalled to learn of the threat that was made against the Member for South Belfast Mrs Lo last night. We all must be clear that there is no room for racism in Northern Ireland and that the House stands with Mrs Lo. Those issues are to the forefront of my mind as I begin my service.

South Antrim is home to Belfast International Airport, Randox, Schrader Electronics Ltd, F G Wilson, Nortel, Junction One, DHL and many other successful industries and businesses, which typify the hard-working and innovative Northern Irish. It is a constituency with rural and urban communities, which stretches from the shores of Lough Neagh to close to the shores of Belfast Lough, and its green hills and valleys stretch from the edge of the Divis Mountain to the forest of Tardree. It sits on the edge of Belfast and includes the major towns and conurbations of Newtownabbey, Glengormley, Ballyclare, Antrim, Crumlin, Randalstown, and numerous charming villages.

Recent housing studies show that part of South Antrim requires some 8,000 houses. It is right at the heart of the urban/rural debate, and I do not believe that our system of government strikes a good enough balance between rural and urban concerns. Therefore, I am particularly pleased to serve on the Environment Committee, and some Members may be pleased to know that I believe in the problems that humans have caused in the world with global warming. I also believe that the world began many millions of years ago and, indeed, that it is round.

Although I do not want to spend too long talking about my constituency, it would be woeful of me not to reiterate that it is home to the premier airport in Ireland, Belfast International Airport, the gateway to Northern Ireland and Ireland. That airport must be given all the support possible to ensure that it remains the premier airport in Ireland and that the proper road, rail and bus systems, which are so vital to it, are set up to allow it to flourish.

We in South Antrim also like to champion two of our more prominent local sporting heroes, Tony McCoy and Mark Allen. South Antrim is a very special place; it is my home, and I am extremely proud to represent it.

Turning to the business at hand, after declaring my interest as a member of Antrim Borough Council and a substitute member of arc21, I broadly lend my support to the principles of the Local Government (Miscellaneous Provisions) Bill, particularly as it is another very

important stage in the very necessary reorganisation of local government. That reorganisation was initiated in 2002 by my Ulster Unionist colleague Sam Foster, and it is the first review of local government since the McCrory Report, which was initiated by another UUP Minister, Brian Faulkner, in the late 1960s.

With the RPA, we have an opportunity to make constructive changes to the way in which we govern Northern Ireland. Although my party remains opposed to the major provision of the first stage of the reorganisation, owing to its opposition of the 11-council model, it finds the Bill broadly acceptable.

I welcome clause 18 of the Bill, which gives councils the power to vest land for the purpose of the Waste and Contaminated Land (Northern Ireland) Order 1997, but we must ensure that the land values are more accurately determined than is often the case. Perhaps that issue will be raised later today when the Assembly sets the pay for those charged with such decisions.

It is particularly welcome that the powers of councils and their authority to enter into long-term contracts will be clarified. That is especially driven by the EU waste directive, and it is vital if we are to meet our landfill targets and avoid European fines. However, we must take care to ensure that the interests of the ratepayers in each council always come first and that central Government is not often put in a position where it can force contracts or decisions on councils. In South Antrim, we are struggling to manage our rates, because the Government have billed the council for £1.2 million of miscalculated rates on behalf of the Ministry of Defence. Councils must be given protection.

We must ensure that large contracts, such as those dealing with waste management, do not lock councils into technologies, the performances of companies or the failures of other councils for which they become liable. For those and other reasons, when devising contracts, councils require advice on drawing up those that are sufficiently robust to protect the council and the ratepayer from future changes.

The certification of contracts must also be made clearer, particularly on the issues of time limits and whether they should be performance based. It concerns me that a certificate remains valid even if there are inaccuracies in it, and there must be a distinction between material and immaterial inaccuracies.

Similarly, I am concerned that a contract that is entered into unlawfully could be ordered to remain valid, and yet I can see why, on some occasions, that should be so. That needs clarification, especially given that the damages that may arise could be of such magnitude that councils and councillors could never stand over them.

2.15 pm

I welcome interested parties and legal experts picking up on those points and sorting them out before the Bill's next Stage, but I am afraid that the sheer monetary scale of those contracts means that the preferred route for a complainant could be a legal battle rather than any effort to resolve the issue. We know from experience that when such financial magnitude is involved, the likely result would be long delays and stand-offs that could result in out-of-court settlements that local government cannot afford.

I welcome the guidelines and powers that are laid out in the Bill for the statutory transition committees, and I wish to make it clear that I am not a member of an existing transition committee. At present, it is evident that the different transition committees are all at different stages and different states of readiness. We must quickly get them all up to speed and ensure that they have similar methods of operation. We do not have long in which to do that. The statutory transition committees can all come into line if strong guidance is available and agreement is achieved, and if the powers in the Bill are used properly. It is essential that councils be given teeth and meaningful tasks, and that they are not left as the toothless consultees that they have become, whereby they are consulted on every matter but ignored on almost every other one.

Ministers, particularly the incoming Minister of the Environment, must concentrate urgently on what matters they will devolve, keeping the interests and needs of the public to the fore rather than concentrating on building their own empires or keeping departmental empires intact. The Minister of the Environment must continue to consult fully with parties, councils and the public on what powers will transfer from regional to local government. We need planning to be properly devolved and yet linked to some inclusion of specialists as part of the decision-making process and to the regional development plan. Local government needs to see many matters, including responsibility for minor roads, libraries, street lighting, youth and community services, grass cutting and gulley emptying, being devolved, along with the appropriate funding. That needs to happen very soon.

Decisions need to be made now, as the transition committees need to know what exactly councils will be expected to do. We must also take care to ensure that we do not create cabals in councils — cabals that do not make decisions in front of their fellow councillors and whose members are not part of the statutory transition committees. That is not clear in the legislation, yet it is vital that there be good communication from the transition committees and that all councillors are kept well informed so that there is an understanding of the decisions that are being taken.



Clause 16 gives me great cause for concern. The Department will be able to change, as it sees fit, any piece of rating or local government law by regulation. That clause must surely have been written by somebody in Brussels. Councils, but, more importantly, Members of the House, must have a say in every part of the process; the Department must not enforce it undemocratically. The Department may seek to alter the law in such a way as to allow it to decide on the setting of the district rate or to pressure councils on the matter. It may wish to change the law on who sits on councils. Could those matters not be dealt with by primary legislation that will be fully scrutinised by the House?

Clause 17 deals with severance payments to councillors. I am a councillor of just four years' standing. Despite having no intention of accepting severance pay, I will not be speaking on the matter. I welcome the plans to free up space on councils and to recognise long-serving councillors. That is entirely reasonable. We know from the electorate's anger about double-jobbing, the ill-advised Westminster expenses claims and the "keep it in the family" employment circus that all of us must not only change how we are perceived but how we do our work. The eyes of the public are on us, and the public expect changes to be made. However, we must respect the experience and knowledge of colleagues rather than lose it through our planned changes. Just as we need to ensure that those who cannot afford to enter politics can do so, so we also need to make it likely that those with experience of trade, commerce and other walks of life will be tempted into politics.

I hope that those changes will result in a broader and younger spread of councillors that includes more female representation, which will, in time, benefit this House, too. I would prefer to see the matter dealt with by primary legislation for a full level of scrutiny. As my friend the Member for Newry and Armagh Mr Kennedy pointed out last week, we have a lot of parliamentary time.

Finally, I want to raise other matters of pertinence to the future of councils and their roles that the Assembly and the transition committees should consider. As I have said, I have been a councillor for four years, and I have been appalled by some of the comments that I have heard about our role. I attended a seminar for all councillors in my borough where it was explained that the council wanted to minimise all its risks and that it intended to see that the 10 or so risks that were ongoing were reduced to zero. I ask Members to think for a minute. If people try to avoid risk, they will avoid making decisions and they will probably end up doing nothing. Any business in the real world would collapse if things were run in that way. This Civil Service-driven set of guidelines is dangerous, and it should concentrate on risk management.

A fellow councillor told me that we were there to advise and not to take decisions, and another told me that a major part of our job was to protect and employ the large number of people who worked in councils. No — our job is to provide services in the most efficient way possible for the ratepayer. Yes, we are an employer, but that is not the *raison d'être* for councils. Councillors are elected to lead and to make decisions, and attitudes of the type that I have just mentioned have no place in government.

We have 26 councils, and we may soon have 11. They all developed over time, working in different ways with different practices and agreements. They are all driven by different problems arising in different times and in different magnitudes. Now is the time to use the RPA to reorganise those councils so that they are all more efficient and start to operate in similar ways. We must look to the future and form a vision of what we want those councils to look like. I would like to see more business and commercial involvement, with councils linked intrinsically to working with them, aiding and learning from local businessmen and helping to add to the local economy, while enabling councils to benefit from their experience and to pass on those benefits to the ratepayers in the form of greater efficiencies.

Maybe we should consider having one Northern Ireland local government insurance policy that covers all councils, perhaps with one legal department advising and working for all councils, robustly taking on and challenging every legal claim made against them. That is how risk can be minimised. Risk should be tackled head on with decisiveness and strength.

Thank you, Mr Deputy Speaker, for your indulgence and for giving me the time to make my rather long maiden speech. I welcome the new powers to be given to councils, and I welcome the proper concern given to those who have served us for so long in council. I also welcome the transfer of powers to the transition committees. However, it all needs to be done now, thoroughly and carefully, or we might as well not have started going down that rather expensive, money-saving route.

I thank the Minister for his hard work, especially in South Antrim.

**Mr Gallagher:** We are at the stage of laying down the guidelines for taking forward the transition committees in statutory form. I want to pay tribute to the elected representatives who have been involved in the voluntary committees and the staff who have supported them.

The Bill concentrates mainly on our response to EU directives on waste. It is clear that we are enabling the development of public-private partnerships (PPP) and



if it saves the ratepayers' money, that is the right direction to go.

However, I say that in a guarded way. PPPs in Northern Ireland sounded well in theory, but, in practice, whether in health or education, some proved to be costly failures. I would like to think that Government here are learning from those failures.

I hope that there will be no more of the PPP white elephants that we have seen in some Departments. We do not want councils to build waste facilities through PPP initiatives, using private companies that, in some cases, are in direct competition so that we end up with more facilities than we need and with a few white elephants. What thought has the Department of the Environment given to that? What checks does it consider will be needed to protect ratepayers from some of the unfortunate PPP mistakes of the past?

**Dr Farry:** I declare an interest as a member of North Down Borough Council and of the north Down and Ards transition committee. On behalf of my party, I welcome the progress on getting the legislation to the Assembly. It is worth reflecting on the fact that we are dealing with a great deal of legislation on the last plenary sitting of the Assembly before the summer recess, after so many days spent dealing with private Members' business. It is welcome nonetheless.

Much work has to be done on the review of public administration. The House will have a major role to play in that, along with the Committee for the Environment. It is important that we meet the various timetables set for the RPA. There seems to be much shifting of goalposts at the moment. Indeed, at the minutiae of the transition committee, the sheer volume of reports being produced with different target dates is confusing to the best of us at times.

There will need to be a spirit of give and take among Members and across political parties to ensure that we meet the targets. Last week, we received the final recommendations of the Local Government Boundaries Commissioner for Northern Ireland, which have to go to the Executive, and, possibly, back to the House. I am fearful that that process will become bogged down over petty issues, such as the names of councils, particularly the name of the council in the north-west. It would be a tragedy if the process were to slip up over that point. We will see how that goes.

I welcome the broad principle of the aspect of the legislation dealing with contracts; councils need to have the ability to enter into such arrangements. In response to Tommy Gallagher, there are certain safeguards, including the three sub-regional groupings of councils that deal with waste management issues. They consider issues regarding economies of scale to ensure that the infrastructure capacity that is created is in line with the expectations of the supplies of raw

materials coming through from various ratepayers across Northern Ireland.

Therefore, we have some degree of safeguard. However, there may well be opportunities to liaise better with regions outside Northern Ireland, such as Scotland and the Republic of Ireland. We need to be mindful of that.

2.30 pm

*(Mr Speaker in the Chair)*

I echo the point that I made in my intervention during Daithí McKay's speech: we talk about councils' responsibility to ensure that they are able to engage properly with the private sector, and elected representatives must follow that through with proper leadership, taking tough decisions on, for example, the sites of infrastructural pieces that we have to put in place and, indeed, the principle of having some of those. When we ask people from the private sector to make investments, they need, in turn, some degree of assurance from the political system that they will not be held to ransom by Nimbyism or the "banana" syndrome — build absolutely nothing anywhere near anybody.

It is regrettable that Belfast City Council has not gone ahead with the energy-from-waste facility. Such facilities are considered mainstream waste management provisions beyond these shores and are used quite successfully in several European countries. I had hoped that Belfast City Council had taken on board the lessons of their success elsewhere.

We should not take a strong ideological point of view either way on the principle of PPPs and PFI in general. PPP has an important role in its proper place and dimension, and lessons can be learnt from bad examples in the past, not only here but elsewhere. However, we should not run away from the importance of trying to work with the private sector and use private capital to achieve public goals. PPP becomes more viable when clear indications can be made on future calculations on supply. PPPs and PFIs have fallen away when, for example, the supply assumptions have proven incorrect, such as in the example of Balmoral High School, where pupil numbers did not reach the original expectations.

It is important to give transition committees formal power to become more than the talking shops that they are at the moment. That is not to be disparaging about those committees; some good work is happening on building relationships and working through the principles of different issues that will have to be tackled in due course. There is a hunger among members to deal with some real work and plan for the future.

I want to raise a slight concern about some anomalies in the composition of the transition committees. I understand from my colleague David Ford, who

unfortunately cannot be with us today, that committees have not addressed those issues properly when they have been raised. For example, other areas are coming to Belfast city from other council areas whose interests are not taken on board by the receiving council. For example, the Cregagh area and other parts of Castlereagh are coming in, and Dunmurry is moving from Lisburn. Even in small areas, individual ratepayers' interests must be taken into account, and we cannot allow a situation where we are talking about takeovers; we need to be talking about mergers on an equal footing where all interests are fully respected.

I recognise that transition committees will need certain powers to look to the future and to make tough decisions. However, I am slightly apprehensive about the committees' ability to look back and interfere with existing programmes and policies that are under way in councils, especially given that several councils have been trying to bring long-term capital investment programmes to fruition for several years. In a situation where new proposals are introduced at the eleventh hour, there will be legitimate public concerns, and questions need to be asked. However, when democratically elected politicians have already made decisions in principle on investment for their communities, that original mandate must be of primary importance and the considerations of the transition committee must be of a more secondary nature.

Safeguards may need to be put in place to regulate how intrusive the transition committees can be in dealing with the detailed work of existing councils as opposed to dealing with the future work of planning how a new council will operate. Great sensitivities will emerge when rate striking processes are made over the next couple of years.

Aside from those points, I formally welcome the progress that has been made. On behalf of the Alliance Party, I recognise the work of the Minister of the Environment in what may be his last formal duty in the House in that role. Although my party has had major differences with his approach to climate change and on the underlying assumptions that we each make about the issue, I recognise his dedication to the workings of the Assembly. I have noticed the number of times that he has come to the Assembly and made statements, and that has been welcome.

A slightly controversial point is the fact that the Minister has had some experience of local government, which has led to his understanding of, and sensitivity towards, the wider issues that those of us who are councillors bring to the Chamber. Councillors understand the subtleties of how local government works, rather than taking a top-down approach from Stormont and being seen by councils as the enemy. That has been a plus point, although we will have to work on the wider issues connected to double-jobbing in the future.

**Mr Ross:** I congratulate my colleague Mr Weir on speaking on behalf of the Committee for the Environment in the absence of the Chairperson and the Deputy Chairperson. He did a very good job. I also pay tribute to the outgoing Minister of the Environment for the work in which he has been engaged for the past year. He has taken a refreshing approach, and he has generated much debate.

I congratulate the Member for South Antrim Mr Kinahan on his maiden speech in the Chamber. I am glad that I am no longer the new boy of the Assembly, and it is fair to say that, in his opening two weeks, he has made a greater contribution to the Assembly than his predecessor did in his two years here.

The Bill is fairly uncontroversial, but it is, nonetheless, a very important piece of legislation, which is required to be in place for the RPA process. Urgency is needed to pass the Bill because of the tight timescales.

As other Members said, there are a number of issues over how councils deal with waste, and the Bill also deals with the more headline-making issue of severance pay. The legislation clarifies the powers of district councils to enter into long-term contracts. We have heard that there is some uncertainty over councils' current powers to enter into contracts, whether those are PPP or PFI contracts. It is important that the legislation clarifies that and that it also gives the private sector the confidence that it needs, because, undoubtedly, some of the facilities that councils will build will use private money. It is important that the private sector has the confidence to invest that money.

The Minister outlined the responsibility of member states under the EU landfill directives. That responsibility is passed on to local councils, which must reduce the amount of waste that is sent to landfill sites or potentially face infraction charges. The legislation allows councils to vest land for waste management purposes, and the vesting of land, along with the ability to enter into long-term contracts, means that the facilities for waste management areas in local councils will, I hope, be in place by 2011.

The Bill also introduces controls on specific financial activities by the current 26 councils in the run-up to their dissolution and the formation of the new 11 councils. That is important to ensure consent among all participating councils so that the new council areas can act as a unit in their decision-making.

The proposals on severance pay are, perhaps, the most headline-grabbing aspect of the legislation. As I am one of only two of the members of the Committee for the Environment who is not involved in local government, I will be able to speak without having to declare an interest. If legal issues are to be considered on how the Committee addresses those proposals, I will probably be on a subgroup or an Ad Hoc Committee. It

may be easy for me to say, but, given the way in which the public view politicians in the current climate, the issue of severance pay for councillors will be a difficult issue to deal with, and one that has certain sensitivities.

As has been said previously, details must be worked out on all those issues, and it is important that the Committee gets a chance to do that. The legislation also contains provisions for statutory transition committees, about which I asked the Minister on Monday 29 June 2009. There are details of the guidance that the Department will issue to the new councils in order to ensure that there is proportional representation on those bodies using d'Hondt and the single transferable vote. That is also important.

In conclusion, the Bill is very much enabling legislation, and the detail will have to be worked out. During the Bill's Committee Stage, many issues will arise that the Committee must examine. Overall, however, the Bill is the right move. There will be support for it from all sides of the House, and I look forward to getting the work done.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. I apologise to you and other Members for not being present for the entire debate.

The Bill is an important step on the road to restructuring local government and councils through the RPA process. Although it does not deal directly with the number or workings of councils, the Bill sets out a number of long-term proposals and objectives that set the tone for the future direction of the RPA.

I want to concentrate my remarks on where the RPA is heading and on the role that the new councils will play in establishing a new society in the North. On 29 June 2009, the Assembly debated its need to show leadership against racism and sectarianism. The entire House endorsed that. Members from all parties supported that and spoke in favour of it, and I welcome that greatly. However, action is now needed. The Assembly must ensure that action is taken on the ground to tackle racism and sectarianism, which are the blight of society.

Sectarianism can also be tackled through the RPA. New local government structures must enshrine equality at their very core. The term "equality" must not merely be a buzzword or catchphrase or something that the Assembly will get round to sorting out some day. The structures must be equality proofed. That includes senior positions, such as chairpersons and vice-chairpersons of committees and mayors and deputy mayors of the 11 new councils. Without that proviso, there is no point heading down the road of RPA, because we will simply have 11 shiny new Craigavon Borough Councils.

At the outset, I should have declared an interest as a member of Craigavon Borough Council. Around the Chamber, there are members of several councils that exclude sections of their community from high office.

Although I have been a councillor for 11 years, I have no wish to hold high office. I do not wish to degrade the post, but I simply do not see myself in that role. However, I demand the right of my party, on behalf of the people whom it represents, to hold high office, whether that is in Craigavon Borough Council, Belfast City Council, Banbridge District Council, or Ballymena Borough Council.

If there is to be a new beginning, the rights of all sections of society must be protected, from the Assembly downwards. The RPA process in which we are involved presents an ideal opportunity to do that. Therefore, although the Assembly is debating the Local Government (Miscellaneous Provisions) Bill, which is a step towards the restructuring of local government, I ask the Minister, who is moving on, and the new Minister who will take over his post, to be mindful of the fact that without equality provisions and the protection of minority communities and all sections in a council, I am afraid that it will not be worth proceeding with the RPA.

**Mr Beggs:** At the outset, I declare an interest as a member of Carrickfergus Borough Council, and I acknowledge the fact that my dad is also a member of Larne Borough Council.

Carrickfergus Borough Council, Larne Borough Council and, indeed, Newtownabbey Borough Council are members of Arc21. I have no doubt that ratepayers in those areas, along with those in other areas, will benefit from the proposed additional powers that the Bill grants to Arc21. It will help them to keep down future waste management charges that might materialise. Although I am not a member of Arc21, I have no doubt that I, and others, will benefit from its work.

2.45 pm

One of the most pressing issues affecting local government is the issue of waste management and the pressure of meeting targets that have arisen from the EC landfill directive. It is a challenging target of hitting 75% of 1995 levels by 2010; 50% by 2013; and 35% by 2020. In the past, recycling rates were poor, and many precious resources were being lost to landfill sites. However, over the past few years, councils have introduced a variety of recycling methods, including brown bins, blue bins and "kerbie" boxes, and that has improved recycling rates. Those councils, along with the EHS, which is now known as the Northern Ireland Environment Agency, have invested in education to encourage recycling. However, it is widely accepted that to achieve the increasingly stringent targets, significant investment in processes such as mechanical biological treatment plans and energy-from-waste plants will be required. I remind Members that considerable EU fines will result if we fail to meet those targets.



The use of PPP or PFI contracts are options to enable local government to move forward to provide a facility and then repay the cost over time, but that must be made as attractive as possible. Therefore, I have an understanding for much that is contained in the Bill, as many aspects of it are simply to enable such a long-term contract to be entered into if it can be shown to represent best value and to give confidence to the lenders involved, and so enable competitively priced bids to be made, covering the significant capital infrastructure that will be required. We must bear that in mind.

On occasion, some people appeared to be stuck on the issue of PPPs. They say that they are against them, but we must all bear in mind the future costs to ratepayers as we go forward. We should all remain open-minded until the costs become apparent and the choices can be made. The bottom line is the cost, and the question of what is the most efficient method of going forward and dealing with waste on behalf of our ratepayers. As I have said, I am supportive of that action in principle, and it may reduce the burden on hard-pressed ratepayers, particularly at this difficult time.

The legislation gives councils the power to enter into those long-term contracts, and, given that the current councils have shelf lives of less than two years, I can understand that contractors will require confidence in the continuity of their contracts if they are to make the necessary investment, which will have payback over many decades. Therefore, there is logic in many aspects of what is being proposed. However, I wish to put down a marker that further explanation is required to account for much of the detail contained in the Bill. I will also be seeking more information around the issue of certified contracts. As other Members, including my colleague Danny Kinahan, have said, there seems to be constant special provision, and the issues of judicial reviews and audit reviews need further clarification. I look forward to dealing with that and with other issues in detail when the consultation goes forward and the issues are addressed during the Committee Stage of the Bill. No doubt, officials will give evidence to help our understanding of those matters.

I welcome the provision in the Bill to grant councils the ability to acquire or vest land to meet the requirements of the Waste and Contaminated Land (Northern Ireland) Order 1997. As I said earlier, key new infrastructure will be required to meet the EC landfill directive, and we are all aware that it can be very difficult on occasion to gain suitable sites, even for relatively small recycling sites. Therefore, there will be a limited number of suitable sites for which there will be a realistic prospect of gaining planning permission. I go back to what I said earlier: unless we can put the infrastructure in place, we will not be able to achieve our reduction in landfill, and we could be susceptible to significant fines from Europe for failing to meet those targets. Therefore,

I am supportive of giving those additional powers to local government and to composite bodies, such as Arc21, who will be required to put that infrastructure in place.

Another important aspect is the issue of future carbon costs, which has not been mentioned to date. If recycling and recovery sites are not located in the right place, it is expected that there will be significant additional transport costs as well as different tax formats or limits placed on the amount of energy that each Department may be allowed to use. It is, therefore, important that such sites are appropriately located. The provision of vesting powers must be welcomed, and the benefits that those will bring to ratepayers through sites being located in the right locations must be recognised.

As indicated, the Bill will also grant such powers to the joint waste management committee. What is good for that committee will also be good for local ratepayers, as they will ultimately have to pay for the removal, recycling and recovery of the waste from their homes. That will reduce the level of uncertainty that may exist for those who are considering building and financing the necessary infrastructure, and increase the likelihood of projects moving forward in a realistic way and to an appropriate timescale.

The legislation is largely enabling, and much of the debate will take place after the regulations are published. Why are the proposals subject to such an extensive use of negative resolution, rather than either secondary legislation or affirmative resolution? Will the Minister give greater explanation of that decision? It would have been more democratically appropriate to use affirmative resolution or secondary legislation rather than negative resolution.

The powers given to the transition committees are another key aspect of the Bill. In considering that area, it is important to place it in context. The Ulster Unionist Party favoured the use of a shadow council period to enable an efficient handover to occur. I still do not understand why that route has not been chosen. I ask that Members reflect on the four- to five-month period last year when the Executive failed to function and many of those issues were effectively paralysed due to the failure of Sinn Féin and the DUP leadership in the Executive. That time could easily have been used to put a shadow council system in place at the end of the current process. I regret that that has not been the case. Instead, we have a notion of transition committees and have been asked to nominate members from existing councils.

We do not know which members of the present voluntary committees — soon to be statutory committees — will become members of the new council. Many of those taking key decisions that will affect future councils may not be members of those transition committees. Indeed, Mr Weir earlier declared his interests as a



member of a transition committee and an MLA. The issue of double-jobbing has increased in the public's awareness. The pressure of the workload in the new councils may well be different from that which exists in the current councils. I suspect that it will become more and more difficult for anyone to be a double-jobbing or even treble-jobbing politician.

It is clear from the recent European elections, in which the DUP lost almost half its votes, that the members who were nominated to the current transition committees on the basis of the 2005 local government elections will not be the representatives of the electorate today. Therefore, the people nominated to sit on the transition committees will not be representative of public opinion. We continue to believe that directly electing new members and allowing for a shadow period are more accountable methods of dealing with the necessary transition period.

The idea of transition committees also brings into question the *raison d'être* for a change in personnel, given the limited opportunity that will exist for new councillors who are appointed over the next two years. As other Members said, transition committees will have a very powerful role. Unless councillors are members of those committees, they will not be involved in the final budgetary process. Therefore, there will be limited learning opportunities for any new councillors.

Apart from the setting of budgets, it is clear that the Bill passes authority to transition committees for existing councils' disposals and contracts. Councils will have to seek the approval of transition committees for significant investment, and that will add yet another layer to local government decision-making. Conflict may arise between existing councils and the proposed transition committees: so much for reduced bureaucracy and improved local democracy.

As Members said, it is very important that there be transparency in the proposed transitional system. It is also very important that all councillors have a high level of understanding about some of the decisions taken — some of which may be very difficult to make — or there will be a great deal of conflict between those councillors who sit on transition committees and those who do not. Therefore, huge dangers exist in the proposal.

Another major question that has yet to be answered about the legislation is what the cost will be of the transitional process and what the final cost will be of moving from 26 to 11 councils. Surely we should have received a full business case advising us of the full costs and of the savings that have been promised. What will be the payback period? We all know that costs are involved in changing an organisation, but we want to see a greater level of certainty as to where the savings are so that ratepayers can be satisfied that the process

is worthwhile. What does the never-ending use of consultants cost? They are involved continually on a range of subjects. I am sure that that cost is considerable. Surely we deserve a business case for the journey that is under way.

Will ratepayers be assured that their rates will go down as a result of the process, or are we going through all this pain only to have an increase in rates in future? To date, the financial aspect of the process has not been afforded considerable discussion or transparency, which would be helpful. There should be opportunities for savings to be made, but what are they? That will be a major marker for judging the change-management process that a succession of DUP Ministers has organised. Next week, we will have our third Minister of the Environment in two years. If, for some reason, things do not go well, which of the three will be deemed responsible? Changing personnel is a risk, as is the learning process that is involved when that happens.

As Members will have gathered, the Bill contains provisions that I can support, others that require greater explanation and some that are not the best method of providing representative, accountable local government.

I thank the Minister for his efforts in his time as Minister of the Environment. Like other Members, I have clashed with the Minister on a number of occasions, mainly on the issue of climate change. As he moves from one Department to another, I plead with him not always to ignore challenging questions that he may not like. Finance and jokes do not mix well, so I ask that, when he is asked a valid and appropriate question, the Minister at least makes some attempt to respond seriously. Nevertheless, I wish him well.

*The debate stood suspended.*

3.00 pm

## ASSEMBLY BUSINESS

**Mr Speaker:** Before we proceed to Question Time, I will address a few issues that were raised in the House this morning. A number of Members raised points of order at the start of today's sitting. In all but one case, I will consider them and respond appropriately in due course.

However, I wish to respond immediately to comments that were made by Ian Paisley Jnr in the House this morning. He said that he met me in my office this morning to discuss a point of order that was raised by Mr O'Loan yesterday. In that regard, Mr Paisley Jnr's remarks were certainly accurate. However, he went on to make remarks that he attributed to me. I wish to make it clear that those remarks were inaccurate. I take a very dim view of Mr Paisley Jnr's action.

**Mr McCartney:** Will he go to jail?

**Mr Speaker:** Order. Members will know that I encourage them to meet me in order to discuss matters that are raised under points of order. I rightly consider such discussions private and confidential, and expect Members to do likewise. Members will know that I operate an open-door policy and that I do not stand on ceremony. If Members want to see me when I am in the office or in the Building, they can do so. I am always willing and able to meet Members to try to resolve any issues that they feel strongly about, whether they concern my rulings or any matter of business in the House. Nevertheless, it is unwise and discourteous of a Member to recount them in the Chamber after a private meeting with me as Speaker. No matter who comes through my door, a private conversation remains private between me and a Member, regardless of the subject of that conversation.

I will respond to the other points of order that were made, particularly that which was raised by Mr O'Loan, in my own time and in my own nature. I will not allow any other Member of the House to try to put words in my mouth. I want to make that absolutely clear to the entire House, because it is all about protecting the procedures and business of the Assembly. I would like to think that a Member can come through my door and talk to me on any subject and know that the conversation between us will remain private.

**Mr Attwood:** On a point of order, Mr Speaker.

**Mr Speaker:** It is time for Question Time. I will be happy to take points of order after Question Time.

## Oral Answers to Questions

### FINANCE AND PERSONNEL

#### Equal Pay Claim

1. **Mrs Hanna** asked the Minister of Finance and Personnel to state his plans to ensure that the Civil Service equal pay claim is resolved within three months, as supported by all parties in the Assembly debate on 1 June 2009. (AQO 3081/09)

**The Minister of Finance and Personnel (Mr Dodds):** As I stated during the recent debate on the equal pay claim, the scale and complexity of the issues involved mean that the Department must resolve them in a manner that is compatible with its legal obligations, is fully informed by the facts and ensures a fair and robust pay and grading structure for the future. That is why, as was explained in the debate, it is difficult to lay down a timescale within which a resolution can be achieved.

**Mrs Hanna:** I thank the Minister for that reply. I am glad to hear that the Department will resolve the matter in a fair manner. Does the Minister understand the sense of injustice that is felt by low-paid civil servants when they hear about salaries and bonuses for the Senior Civil Service? Is he aware of the claims that have been made in the media in the past few days by the trade unions that represent senior civil servants?

**The Minister of Finance and Personnel:** I hear what is said on the news about all those matters, but I fully appreciate what the Member says about the concerns that people have.

As a public representative, representing many constituents affected, I share those concerns, which is why I have instructed officials to work intensively with the Northern Ireland Public Service Alliance (NIPSA), the main trade union involved, to establish the parameters within which a negotiated settlement can take place. Ministers can then collectively — because it will have to be a collective decision — consider how the matter should be taken forward. I have made it very clear that that process will not be subject to any unnecessary delays on my part, or on the part of officials.

Members will be aware that, in setting down a particular time frame in which to resolve the issue, we are hampered if not undermined by the fact that there is not just one equal pay claim; there are thousands. Many claims have now been lodged with tribunals, so even if there were an agreement with NIPSA tomorrow, individuals would still be free to proceed with a tribunal case based on their decision and the advice that they get. We cannot control that, and neither can NIPSA or

anyone else. It is therefore impossible to say that the matter will be resolved within three months, because it is outside our control and that of the union.

**Mr Shannon:** The Minister, like everyone in the Chamber, will have had vast amounts of correspondence — emails, letters and phone calls — on this issue. It is a very clear issue. Yesterday, the Assembly gave unanimous support to a motion on Civil Service pay. Nonetheless, I commend the Minister for his hard work on the matter. Will the Minister give some indication of the timescale for settling the equal pay claim? That is the issue for many of us in replying to our constituents. Will the Minister also provide us with a specific timescale for the review of technical grades?

**The Minister of Finance and Personnel:** I am grateful to the Member. He will be aware that I secured access to £100 million, through negotiation with the Treasury and the Prime Minister, to address a range of cost pressures, including equal pay. Work has been done, and tangible results have been produced.

We are not yet clear what the overall cost of addressing the issue will be, but the Member mentioned the review of technical grades, which is a necessary and important part of ensuring that a firm foundation is laid for addressing the equal pay issue. The last thing we can afford to do is to proceed on a basis that would then be subject to further challenge or challenge by others, or would open up other issues. We need to ensure that when we address the equal pay claim, we address it in a fair, comprehensive and robust way which is not open to further challenge. That is why the review is taking place, and we have spoken to NIPSA about that.

As I have said previously, the review is expected to take around three months to complete, with the co-operation of both unions and staff. I am absolutely committed to seeing the matter resolved. Where there are legal obligations, inequalities, or back-pay issues to be addressed, then my colleagues and I are determined that they will be addressed as quickly as possible, preferably by negotiation; that is our wish and that of NIPSA. We have to do it in a firm way that will withstand any further challenge. We must do it as quickly as possible, but in a robust way that can withstand any challenge in the future.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. Is the Minister effectively saying that £100 million has not specifically been ring-fenced or earmarked to resolve this issue? Has sufficient progress been made, one year after the commitment to resolve this issue, to state definitively the number of current and former civil servants who will be entitled to compensation?

**The Minister of Finance and Personnel:** I am not in a position today to categorically state the precise number of civil servants, but I think that everybody is

well aware that we are talking in the range of some 7,000 to 8,000 people overall.

Access to the £100 million was secured in order to address a range of cost pressures faced by the Executive, one of which was equal pay. The Executive will, in due course, consider whether to access that facility. That will be a matter for all Ministers to examine at that time.

The devolved Administration inherited the issue from the direct rule Administration. That is why we put the issue strongly to the Treasury, and, once we get further down the line, there might be a case for returning to the Treasury. There is no doubt, however, that there has been no backtracking, reneging on commitments or backsliding in our determination to meet those claims where there is legal justification and an obligation to do so. We are committed to doing that quickly, by negotiation if possible, because that is in everyone's best interests. As we know, in Northern Ireland, negotiations sometimes take a bit of time.

I am conscious of Mr Beggs's exhortation to the incoming Minister of Finance and Personnel, Mr Wilson, not to descend to jokes, and so on. The scope for jokes in the Department of Finance and Personnel might be less than in the Department of the Environment, so he is quite right on that point.

### Salaries/Bonuses: Senior Civil Servants

2. **Mr Attwood** asked the Minister of Finance and Personnel whether he will include all senior public sector salaries in his review of the salaries and bonuses of senior civil servants. (AQO 3082/09)

**The Minister of Finance and Personnel:** The review of the current pay and reward arrangements for senior civil servants that I recently announced will focus on the pay and bonuses for senior civil servants in the Northern Ireland Civil Service (NICS), for which the Department of Finance and Personnel (DFP) has management responsibility. It is not a review of wider public-sector pay. However, I have instructed my officials to consider how the review of Senior Civil Service pay will affect wider senior public-sector salaries and bonuses. That is, as I said in yesterday's debate, a highly complex issue that will require careful consideration, and my officials will produce a paper setting out all the implications in detail.

**Mr Attwood:** I welcome the steps that the Minister has taken thus far in trying to address the matter. However, does the Minister agree that when, for example, an institution such as Queen's University receives 40% of its funds from the taxpayer, it is simply not satisfactory, in times of recession, for its chief executive and vice chancellor to say on the radio last Tuesday that it is not for him to comment on his salary, which is a matter for the remuneration committee? Does the Minister agree

that it is simply not good enough, in times of recession, for the chief executive of a publicly funded body to deny his personal responsibility for his salary level? Is there not a need for Government input on salary levels in higher education and the wider public service in the North?

**The Minister of Finance and Personnel:** The Member raises an important point about salaries, remuneration and rewards in the wider public sector and in bodies that are, to some extent, arm's length but still, to a great extent, publicly funded. Those are important matters of public concern.

There has been much discussion and concentration on Senior Civil Service pay, bonuses, rewards and remuneration, and such scrutiny is perfectly normal and right. When we discuss those issues, however, it is important to bear in mind that much higher salaries are being paid in the wider public service in local government, education and library boards and the Housing Executive. Not all those organisations are much larger, but some are.

The Member referred to Queen's University. The Minister for Employment and Learning might want to comment on that. People will have heard what was said about the matter and will make up their own minds. Increasingly, however, people are examining those issues intensely. It is important that we take the wider issue into account. Whereas, last year, pay increases in the Senior Civil Service were about 2.5% in relation to the base pay award, there were much greater increases at a senior level in other areas, such as education and library boards, the health and social care sector and the Northern Ireland Housing Executive.

We need to look at all the relevant issues, and, increasingly, the debate is focusing on wider issues as well as the Civil Service.

3.15 pm

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I listened carefully to the Minister's response and took some assurance from it. Will he assure the House that the salaries and bonuses of senior civil servants will be reviewed? That could provide the House with important information for examining public sector pay in general and addressing any anomalies that have developed. Let us have a short, sharp, focused review of Senior Civil Service salaries and apply any lessons that are learned to other parts of the public sector.

**The Minister of Finance and Personnel:** The Chairperson of the Committee for Finance and Personnel makes the point that we should get on with the review that has been commissioned. I am considering proposals for taking that forward. As soon as the draft terms of reference are ready, I will circulate them to my ministerial colleagues.

I hope that a full report and proposals will be available to the Minister of Finance and Personnel in the autumn; there should not be unnecessary delay on the matter. It is entirely right and proper that the review is carried out by external and independent people. The review must be wide-ranging and must include comparisons with systems of pay and reward for similar jobs in the wider public sector, the private sector and across the rest of the country. It is a complex and wide-ranging issue, so let us carry out the review as quickly, but as thoroughly, as possible.

**Mr Kennedy:** Presumably, the Minister accepts that the payment of large bonuses to senior civil servants is controversial and unsatisfactory, even for those who receive them. As the Minister prepares to leave office, does he have any suggestions or ideas about how the matter can be dealt with better? When does he expect his successor to be in a position to report back to the House on the issue?

**The Minister of Finance and Personnel:** We have outlined the way forward precisely because of the issues and concerns that have been raised. I have already indicated that I expect the report to be available in the autumn. The matter will be considered by the Minister at that time.

We are having a review to address what is a complex issue. Northern Ireland does not have an unusual arrangement. Senior civil servants in Northern Ireland are paid in the same way as those in other parts of the United Kingdom. The payment system follows the recommendations of the independent senior salary review body that advises on such matters. Nevertheless, people have expressed concerns, not least in the House, so it is right and proper to have the review. Let us await the outcome of it, and then we can consider the issue while taking account of the matters that have been raised.

**Mr McQuillan:** I welcome the timely and important review. Is the Minister considering including the wider public sector in the review?

**The Minister of Finance and Personnel:** The review will focus solely on the pay and bonuses of senior civil servants in the NICS, for which DFP has management responsibility. However, we need to consider how the review impacts on wider public sector salaries and bonuses. It is clear, from the issues that have been raised with me in today's Question Time and elsewhere, that some work is required in respect of the pay and bonuses of senior civil servants. I welcome the recognition that the issue concerns general public sector pay also. It is right that the focus should be broadened, but the first piece of work will concern senior civil servants. It is sensible to look at the implications of the review and then proceed.



## Digital Communication

3. **Miss McIlveen** asked the Minister of Finance and Personnel what steps are being taken to advance greater use of digital communication by the Northern Ireland Civil Service. (AQO 3083/09)

**The Minister of Finance and Personnel:** In recent years, the NICS has had a policy of continuous development through the introduction of new technologies, and it has taken a number of important steps to advance the better use of digital communication services throughout the organisation. To date, those include the development of a robust and secure network infrastructure and the introduction of a resilient and standardised email service. In addition, a number of staff access the mobile BlackBerry service. Work is progressing on exploring the possibility of migrating NICS voice services to digital technology. That would deliver additional business benefits and flexibility, including the creation of a videoconferencing network that would help to achieve sustainability targets.

Facilities for next-generation videoconferencing are important. I visited one such facility recently, and I am pleased to confirm that my Department is in discussions about developing a next-generation NICS teleconferencing pilot project in Northern Ireland. Such a project would bring significant benefits. It would facilitate high-quality global videoconferencing in real time, and it has the potential to improve the way in which we work significantly. As I am sure all Members will welcome, particularly those who sit on Committees, it would reduce the need for overseas travel greatly, thereby driving down the spiralling costs of such travel. It has the potential to improve productivity by minimising staff downtime, and it could reduce the NICS's overall carbon footprint

**Miss McIlveen:** I thank the Minister for his response, in which he gave some detail of the creation of a videoconferencing network. Will he elaborate on how that differs from the videoconferencing that operates currently in the Civil Service, and will he outline what further benefits may be gleaned from a new network such as that?

**The Minister of Finance and Personnel:** Next-generation videoconferencing is a completely new and different experience. Recently, I had occasion to visit a facility in Belfast, and it is miles away from the current type of videoconferencing that all of us have, undoubtedly, experienced at some time. Next-generation videoconferencing makes people feel as though they are in the same room as people who are in America, London, Dublin or wherever. If next-generation videoconferencing can eventually cut the need to travel for meetings and so forth, it will be of significant benefit to the public service.

However, if the technology can be developed and the opportunities opened up, it could also benefit the private sector. The small and medium-sized businesses in Northern Ireland, for which travelling to events and meetings may be prohibitively expensive, could reap the benefits of such meetings without incurring the cost.

Given Northern Ireland's geographical position on the periphery of Europe, it is particularly important to pursue the development of such technology. It will help immensely as part of our suite of offerings to attract investment and grow the economy.

**Dr McDonnell:** Mr Speaker, I apologise for being distracted yesterday when you called me to speak. I appreciate your kindness, and I will try to ensure that it does not happen again.

I thank the Minister for his comments so far. I am a great enthusiast of the new phase of technologies. Will the Minister tell the House what he and his Department are doing to correct some of the problems in the HR Connect programme? Is he concerned that most of the Government's IT-based systems experience serious teething problems? Is there a case for forming some kind of collaborative partnership with the world-renowned Lagan Technologies in Belfast? It installs many IT programmes across the US and the UK. Is there some way in which we can avail ourselves of local talent to ensure that our IT systems work better?

**The Minister of Finance and Personnel:** One of the things that is always interesting about Question Time is the ability of Members to ask supplementary questions that have very little to do with the original question. The Member's supplementary question just about qualifies because it contains the name of a company that is involved in digital communication. Nevertheless, it is an important issue about which I have received a lot of communication, mostly by letter, but some of it digitally.

The point that the Member raised about teething problems was also highlighted. Despite the best efforts to iron out many of the problems before the programmes go live, there will be teething problems when they are brought into a new way of working, particularly where there are large-scale computer programmes. Human beings are also involved, so there is always the capacity for human error.

I urge any Member to whom people have come with problems with HR Connect to directly contact me or the Department. We will always endeavour to sort out those matters. I very strongly said to officials that it is important that every effort be made to ensure that those sorts of issues are dealt with quickly so that there are minimal disruptions to salaries and payments to staff in the Civil Service. If any Member has issues, I urge them to get in contact with us so that we can try to put them right.

**Mr Cree:** I share the Minister's enthusiasm for this matter. Will he undertake to enforce the use of plain language and to ban all jargon as an associated part of his Department's digital inclusion programme since the public, who pay for that, often do not understand what the Civil Service is talking about?

**The Minister of Finance and Personnel:** I agree that as much jargon as possible should be banished. However, when one deals with issues of digital technology, it requires some level of knowledge in relation to the intricacies of the subject. The matter of providing more clarity should not only apply to civil servants; perhaps all of us could take a lesson on that front, not least in the Assembly.

### Health Budget

4. **Mr McNarry** asked the Minister of Finance and Personnel if he will exempt the health budget from any block grant cuts and efficiency savings before and after 2011. (AQO 3084/09)

**The Minister of Finance and Personnel:** As part of the 2007 Budget process, the Executive unanimously agreed that all Departments should be set a target to deliver cash-releasing efficiency savings of 3% per annum over the periods 2008-09 to 2010-11. As a result, over £1.6 billion in resources will be recycled back into departmental budgets in order to enhance the standard of public services that are provided for the people of Northern Ireland.

Individual Departments and Ministers have the flexibility to determine how efficiency savings will be delivered, but they were advised by my Department that the impact on the delivery of priority front line services should be minimised.

**Mr McNarry:** I am very grateful to the outgoing Minister for that response, and I take on board what he said about recycling.

Since the Northern Ireland health budget is already £300 million each year behind that of England and Wales, is the Minister minded, as a recycling exercise, to support reprioritising the Programme for Government with the health budget being given the priority that it needs to maintain parity with the rest of the United Kingdom?

**The Minister of Finance and Personnel:** All of us believe that the Programme for Government sets out various priorities, of which health is rightly one. That is why some 50% of the entire Budget from 2008 to 2011 is for the Department of Health, Social Services and Public Safety. Northern Ireland currently spends around 6% more per head on health and social care services than in England, with faster growth in spending on health and social care than either Wales or Scotland over the past year. That reflects some of the

priorities, given all of the other competing demands that are out there.

It should be noted that if there were a blanket exemption in relation to efficiency savings, it would result in over £340 million less in spending power for the Department of Health. Therefore, we need to be careful about that particular issue.

3.30 pm

**Dr Farry:** Considering the difficulties with the health budget, and bearing in mind that Northern Ireland's morbidity rate is higher than that of the rest of the United Kingdom, what steps are being taken by the Minister's Department to prepare Northern Ireland for any potential change from the Barnett formula to another form of assessment that will ensure that the needs of the health sector in Northern Ireland are properly taken into account?

**The Minister of Finance and Personnel:** The Member raises a much wider issue in relation to the possibility of a change in the way in which devolved Governments are funded. I am careful about engaging in any kind of speculation on that front, because, frankly, and with due respect to the Member, who makes an interesting and important point, I do not think it is wise to get into "what if" by asking what we would do in those circumstances.

The Barnett formula has flaws and faults, because it is population rather than needs based. However, the Barnett formula has served us well over the years by providing certainty of funding per head of population in Northern Ireland. There may be issues in and around the Barnett formula, but I worry when Treasury officials sound all too keen to open up the issue of the Barnett formula, because they do not do so with the interests of Northern Ireland in the form of extra allocations in mind. We must be circumspect in approaching the matter.

The issue was debated in the previous Assembly, and the decision was not to take the review route. However, we will monitor events. The Member is aware that a discussion is under way in Scotland and Wales, and we will keep those matters under review.

**Mr I McCrea:** Given the important role played by nurses here, does the Minister agree that it is important that efficiencies in the health budget do not adversely affect the nursing profession?

**The Minister of Finance and Personnel:** The Member raises an important point that has been the subject of public concern. More than a third of all staff in the Health Service are nurses. Therefore, it is important that such a large number of people is deployed to best effect. The matter is one entirely for the Health Minister. People have said that the efficiencies are not cuts and must not reduce front line services, and I expect that to be reflected in how the Minister deals with nursing posts.

## ASSEMBLY BUSINESS

**Mr O'Loan:** On a point of order, Mr Speaker. Further to your ruling earlier in relation to a Member recounting his version of a conversation with you, do you intend to take further action? Since the Member made his comments in the Assembly, will you require him to take further action in the Assembly?

**Mr Speaker:** I note what the Member says. I have spoken to the Member concerned in private and the Member has apologised to me. As far as I am concerned, that is where the matter rests.

## EXECUTIVE COMMITTEE BUSINESS

### Local Government (Miscellaneous Provisions) Bill

#### Second Stage

*Debate resumed on motion:*

That the Second Stage of the Local Government (Miscellaneous Provisions) Bill be agreed. — [*The Minister of the Environment (Mr S Wilson).*]

**Mrs D Kelly:** The SDLP wishes to see strong and effective local government, firmly rooted in and representative of the community that it serves. We welcome the Bill.

In relation to other outstanding legislative requirements connected with the review of public administration, in particular, local government, will the Minister provide a timetable for when we can expect further legislation to be brought to the House? On the day before summer recess, it is disappointing that we are now, in a sense, rushing through the Bill.

The SDLP remains opposed to the 11 super-council model. As we heard in the debate, we have little confidence that it will not be a carve-up between the two main parties rather than the meaningful power sharing that people are entitled to expect.

The Bill is useful and timely, if not overdue, particularly for dealing with waste management and for meeting local government requirements on EU landfill directives. A number of measures are being introduced. However, the legislation does not go far enough, so I ask the Minister whether he intends to strengthen the role of the local government auditor. The Northern Ireland auditor's powers are limited and restricted. In order to ensure best practice, proper, open and transparent decision-making, and equality in service provision and an opportunity to apply to provide those services, the local government auditor's role must be strengthened. Powers should be available to him or her to ensure that councils comply with the legislation.

Many councils — as a member of Craigavon Borough Council, I have to declare an interest — have outstanding matters with respect to the provision of legal services. I think it was Mr Beggs or Mr Kinahan who referred to some of the other services, legal services and land disposal services, such as the person or company that provides valuations of land and is engaged to dispose of it. That has not been subject to best-value practices or competitive tendering, certainly not in the case of Craigavon. Nevertheless, many councils are determined to continue using the same processes until the review kicks in. Therefore, some guidance from the Minister would be useful.

The SDLP welcomes the Minister's intention to put the transition committees on a statutory footing. In particular, it appreciates the Minister's allocation of funds for the employment of transition managers, who will carry out a useful role. It is important that the people who are appointed in the various council areas have ratepayers' best interests at heart. At the end of the day, it is about securing the best value for the delivery of services for the people whom local government represents.

We must also be mindful of the many staff who are employed by councils, because the time that it takes to make decisions and bring forward legislation has a detrimental impact on their motivation and morale. People want to know what will happen to them. We all recognise that in the majority of cases, administration and senior management roles will be most affected by the switch to 11 councils. People want to make plans. Will there be a phased approach? Some people want to leave early. How will the number of posts that will be required at senior management and chief executive level be determined? Does the Minister have any views about those appointments that he can share with the House? Will all the posts be openly advertised, or will appointment powers be restricted to the councils in the various partnership arrangements?

My colleague Tommy Gallagher paid tribute to councillors who have served for many years, particularly those who have given their time to the voluntary transition committees. I, too, want to place on record my appreciation of their work. Nevertheless, we must be assured that equality is at the heart of the decision-making process in the statutory transition committees. All decisions must be open and transparent, and checks and balances must be in place to ensure that equality prevails.

Will the Minister give us that reassurance this afternoon? I know that the Committee, the parties and others will scrutinise the detail of the legislation.

If there are to be changes to job descriptions, it is important to ensure that we have the right people doing the right jobs at the right time. That goes back to some of the work of the statutory committee. It would be useful to have some indication of any improvements to the Local Government Staff Commission's regulatory authority, especially given that some local councils regularly undermine the commission and routinely ignore its advice. The Commission should use its directive mechanism.

Does the Minister have any intent in the near future to look at the problem of vacancy controls that we will be faced with?

As other Members said, the review of local government has been a long time coming. It is an issue that is close to the people, and there is only one opportunity to get it right. Members have questioned the cost-effectiveness

of the outworkings of the legislation, and whether the outcome will result in a better all-round delivery of services to the people.

I congratulate Mr Kinahan on his maiden speech. As a resident of south-east Antrim, I watched the winning Antrim hurley team with great interest and delight, and I wish County Antrim well in its clash with Tyrone for the Ulster title. I am sure that Mr Kinahan joins me in wishing the team well. Sportsmen and sportswomen are great ambassadors for their county and for their towns, cities, countries and parishes.

I look forward to working on the Committee with the incoming Minister, and I wish Minister Wilson success in his new role as Finance Minister.

**The Minister of the Environment (Mr S Wilson):**  
Mr Speaker, I nearly missed your call and nearly did a Dr McDonnell on the Assembly.

I thank everyone for their participation in today's debate. It feels a bit like the end of term with it being the last plenary sitting and one of the last Bills to be discussed before recess. A lot of people have gone on the beat, including, it seems, the Chairperson of the Committee for the Environment, whom I have missed on far too many occasions. When he invites me along to the Committee, he does not turn up half the time, and now he has not turned up for today's important debate about the Bill. However, I am sure that the quality of the debate has not been affected by his absence, and the new Chairperson of the Committee raised a number of important points that I will deal with.

Mr Weir, who spoke on behalf of the Committee, gave an assurance, and I welcome the fact that the Committee has decided not to seek an extension to the Committee Stage of the Bill. I made a promise at the very start of the process that I would seek to ensure that it did not have to go through the Assembly by accelerated passage, because I believed that it was important legislation. Indeed, all the legislation regarding the RPA was important enough to have received proper scrutiny in the House, then clause-by-clause scrutiny in the Committee and a final assessment by the Assembly. I appreciate that the Committee has reciprocated and has accepted the urgency. Perhaps the Chairperson will bring the Committee in over the summer to try to get some of the work done.

The intention of part 1 of the Bill is to deal with the fact that we have a huge issue with waste management in Northern Ireland, as many Members have said. That will require considerable investment. Some Members have expressed concerns about the use of public-private partnerships and PFIs, but, regardless of whether we like them, our waste management strategies will require the involvement of the private sector in one way or another. Part 1 of the Bill was designed to give the degree of confidence that is required. We are not



talking about capital contracts that are worth millions of pounds; we are talking about contracts that are worth hundreds of millions of pounds over the period that we are dealing with. Therefore, confidence in the private sector is required.

3.45 pm

Part 1 of the Bill provides the confidence in the private sector that will be required, because it will clarify what powers the councils or the waste management groups that are acting for the councils will have when they enter into contracts with the private sector. It will also enable the councils to certify those long-term contracts, which will give the contractors and their financiers a safe harbour or a protection from legal challenges — unless there is a judicial or audit review, which I will address later. The Bill also ensures that contractors will be compensated if the contracts are set aside as a result of such a review, and it should minimise the likelihood that contracts will be set aside. It is important to include safeguards, because their inclusion means that any contracts that are entered into will be robust, and I will address that in a moment. The inclusion of safeguards also empowers the courts to direct that contracts continue, even in cases in which they have been entered into unlawfully.

Some Members raised the issue of unlawful contracts. The word “unlawful” is misleading. Councils do not wilfully break the law, but, sometimes, incidental contracts can be regarded as unlawful but necessary. The Bill will provide safeguards where those issues have been raised.

Mr Weir said that there was urgency in progressing the Bill. I will remind Members why it is so urgent. As some Members have said, waste management and waste contracts are laid down by targets that have been set as part of the landfill directive. That requires that councils enter into contracts and commence the contract procedure so that the award can be made towards the end of 2010. That procedure requires the submission of the competitive dialogue, the closing date for the receipt of final tenders, the evaluation of tenders, the selection of the preferred tenderer and, finally, the award of the contract. That will have to take place towards the end of 2010. That is why it is important that we have the legislation, which underpins the security that is required for those contracts.

A number of Members also raised the issue of whether transition committees will have the ability to stop the sale of land or to prevent councils from entering into contracts without first assessing whether the councils that are joining together will need that land or whether the contract is in their best interests. Financial thresholds will be set for those assessments. That will not apply in the disposal of small pieces of land, but it will apply for significant parcels of land.

Once those financial thresholds are agreed by the Department, they will be conveyed to the transition committees.

I accept Dr Farry’s comment about instances in which a council has already made a decision on a piece of land and is well down the road in the process. I do not think that transition committees will be empowered to stop a well-developed proposal, but they will have a chance to look at proposals from councils that are starting off in the process or that are at the beginning of the process to see whether they are in a council’s best interest.

That does not necessarily mean that the transition committees will automatically block the proposals. It simply allows for a better discussion on whether that is an appropriate contract, sale or disposal of an asset or capital investment, given the wider context of the new amalgamated councils.

Members also asked about the transition committees and their role. The committees will undertake a very important role and will be key to the smooth working and movement towards the new councils, and I have made it clear from the beginning, both in response to questions from Members and at the strategic leadership board, that that will mean that the membership of the committees must reflect the composition of parties in the amalgamating councils. That is reflected in the legislation, but I want to put it on record again. If those committees are seen as gerrymandered or unrepresentative, their authority will be compromised, and given the decisions that those committees must make, it is important that their authority is not compromised in any way.

That is why d’Hondt and the single transferable vote system will be used to compose those committees. Furthermore, once the legislation is enacted and before the statutory committees come into being, committees that have not been composed in that manner will have to be re-elected. However, there may be some changes anyway, as some committee members may decide to come off the voluntary committees and not transfer to the new statutory committees.

I do not really understand the d’Hondt system. It is said that when d’Hondt was first introduced during negotiations in 1998, one of the parties to the negotiations thought d’Hondt was the centre forward for Juventus. However, I am not sure whether that is true.

Apparently different methods could be used to select the members of the committees. Therefore regulations will set out the method that must be used to ensure consistency across the councils. I hope that that reassures Mrs Kelly, Mr O’Dowd, Mr Kinahan and Dr Farry who raised issues in that respect.

Some Members asked about the roles that the committees will have, and I confirm that the committees’ roles will be fairly extensive; they will develop and

manage the convergence plans for the amalgamating councils; they will also develop strategies for the estates and accommodation of the councils and, in doing so, will deal with the sale and disposal of assets and entering into capital contracts; they will also be responsible for the managements and transfer of assets and liabilities from one council to another; the development of a short-term corporate vision for the new council districts; and the trialling of initial community-planning arrangements. Furthermore, they will be responsible for the composition of the preliminary staffing structure and the appointment of the chief executive designate and senior staff in the new councils and for the preparation of the budget and the fixing the new councils' rate.

That rate will only be set for the first nine months to run from February 2011 to February 2012, with the new councils being elected in May 2011 and taking ownership of the rate from February 2012 onwards. Finally, they will also be responsible for the management of local communication with staff and ratepayers, and I hope that that deals with queries that Members raised on how the Department will ensure that decisions are communicated.

Mr McKay asked about vesting powers. Although he welcomed the vesting powers that councils will have for waste management purposes, he wanted to know what kind of safeguards will be put in place. Safeguards are already in place. When a council wishes to vest land, it must first send a vesting application to the Department. That is the first safeguard. The Department will ask whether it is necessary for the land to be vested, and once the application has been made, it must be advertised locally and served on persons or public bodies that appear to have an interest in the land. If there is a challenge to that, there is, of course, room for a public inquiry. Thus, safeguards are already in place so that people who wish to oppose the vesting can have their views heard.

I want to welcome the new Member for South Antrim, Danny Kinahan, and I welcome his maiden speech. As has been pointed out, he has already exceeded the record of the Member whom he replaced as far as contributions in the House are concerned. In fact, I think that he probably managed to do that in today's speech alone.

I do not agree with everything that Mr Kinahan said. He mentioned climate change and global warming, but I noted an inconsistency in his speech. Although he waxed eloquent about human responsibility for climate change, he also mentioned his constituency interest in Belfast International Airport and his desire to see it expand, with more carbon dioxide-spewing aircraft landing at and taking off from it. Of course, he is not alone in doing that. I suppose that there is a little inconsistency there, but he is allowed that in his maiden speech.

**Mr Kennedy:** Nobody noticed.

**The Minister of the Environment:** Nobody noticed except me.

Mr Kinahan raised a number of very important points, which I want to address. The first concerned the vesting of land, and I hope that I have given him an assurance that safeguards will be in place. However, it will sometimes be essential for land to be vested. If a capital project is being held up because of a council's inability to obtain or access the land or part of the land that is required for the project, powers must be in place to help deal with the situation. When we talked to commercial interests, they raised three concerns about the waste infrastructure. The first one was about certainty, which is one issue with which the Bill will deal. The second was about the land available, and the third was about planning. All those issues are important, which is why the vesting, along with safeguards, is required.

Like other Members, Mr Kinahan raised the important issue of councils getting locked into contracts. He asked how we ensure that ratepayers will not be disadvantaged. A number of steps must be taken before those contracts are entered into. First, the Department of Finance and Personnel must approve the business case of each of the individual waste management organisations. That business case will have to show the kind of methods that the organisation believes should be used for the waste contract exercise.

Secondly, to give some assistance to the councils, we have set up a body called the programme delivery support unit (PDSU), which gives guidance on procurement, planning and the whole issue of finance for councils. Therefore, help is available. There is also the matter of achieving best value for money in the contracts. We will also look at regulations around the certification exercise.

There will be safeguards in all those issues. However, when one enters into long-term contracts, especially when one cannot foresee changes that may occur over the period of those contracts, many of them go to judicial review and end up in court where people challenge them. We are all aware of that as we have seen it in so many other walks of life. However, all we can do at the outset is try to ensure that all the safeguards have been examined and that due consideration has been given to all the points that need to be looked at in contracts.

4.00 pm

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

Mr Kinahan and another Member raised the issue of clause 16 with its far-reaching powers to amend existing local government legislation and rating legislation by subordinate legislation. Those powers are far reaching;

however, they are necessary in the transition period, and the safeguard is that the regulations will be brought back to the Assembly and be subject to a draft affirmative procedure for subordinate legislation, which means that they cannot come into operation unless the Assembly agrees to it. It is not a case of the Department simply trying to change the rules in the way in which the Member described. It will be for the Assembly to give affirmative resolution, and that provides the safeguard that the Member sought. Mr Beggs also raised the issue of safeguards, but he is not in his place.

Mr Gallagher raised the issue of PFI contracts and public-private partnerships. I am glad that Mr Beggs has just entered the Chamber, because I did not want to talk about him in his absence. This is a rare occasion: I agree with him. *[Interruption.]* It is my last day, so I am allowed to do that. Mr Gallagher questioned whether PFI and PPP were appropriate. They will, of course, be appropriate only where the schemes are of sufficient scale. However, as Mr Beggs rightly pointed out, given the amount of investment required, we cannot ignore the fact that, in many cases, we will have to look to the private sector. In some cases, the appropriate method of delivery may be PPP schemes.

However, as I said in reply to Mr Kinahan, protections will be in place so that before that method of financing a scheme is entered into, all the necessary safeguards and evaluations of the procedures will have been gone through. Two methods would, probably, have been looked at, and one would involve private finance. It is certainly the preferred method of procurement in the three outline business cases that have been presented so far: the design, build, finance and operate contract. The other option that would represent value for money is the design, build and operate contract where the finance would have to be found from other sources. However, we must get value for money. The Department of Finance and Personnel will have an input, as will the programme delivery support unit that I referred to earlier, which will provide expertise on procurement, advice and assistance to the waste management groups.

Dr Farry talked about the safeguards in the composition of the committees. I hope that I have assured him that not only will we have one method, but that the regulations will indicate how that method — the d'Hondt method — should be applied.

**Dr Farry:** When I talk about safeguards for the transition committees, I mean how far they intrude into the existing work of councils rather than their composition.

My party's position is that there should be a range of methods to determine the composition of the committees. Proportionality is the key principle, but there is more than one way to achieve that. We must take account of the different compositions, settings and contexts of

different councils across Northern Ireland. One size may not fit all. The d'Hondt mechanism, although it aims at proportionality, can sometimes be a blunt instrument and have adverse effects. My party's suggestion, just to confuse the issue even further, is that councils should have a choice between the d'Hondt method, the Sainte-Laguë method and the single transferable vote.

**The Minister of the Environment:** I take the Member's point, but the other side of that coin is that, when such a range of flexibility is allowed, accusations can be made that the method was chosen simply to suit one group of interests.

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

**Mr McNarry:** I thought you wanted to go home early.

**Mr Weir:** I will not delay him too long.

**Dr Farry:** The anoraks are taking over.

**Mr Weir:** I will speak on behalf of the anoraks' union on this side of the House. The Minister will be aware of the methodologies to determine the composition of the transition committees. The recommendation that was agreed by all parties was that there should be a range of choices, perhaps including the various methods that Mr Farry mentioned. It is vital that if, for example, the d'Hondt method were chosen, the same type of d'Hondt mechanism be operated consistently, so that the system could not be abused by a party or grouping on a council. People should have some certainty on that issue.

**The Minister of the Environment:** For the reason that the Member outlined, the regulations will specify the methods to be used. Although I appreciate Dr Farry's point, once that flexibility is introduced, the door is left open for accusations that it has been abused.

I also welcome Dr Farry's sterling defence of the dual mandate between this establishment and the councils. He was the only Member to do so. I did not introduce legislation to do away with the dual mandate for the very reason that he mentioned. I know that his comments may have been tongue in cheek, but there is symmetry between people's roles in the Assembly and their roles at a constituency level in local councils.

There have been siren voices from beyond the Assembly and from the press. However, as an Assembly, we should consider whether we wish to take a blanket approach to the issue of dual mandates. I am speaking only about a dual mandate between the Assembly and local councils. Sometimes, the sensitivities that are required at local council level need to be reflected in the Assembly, and there may be a case for parties and individual Members making decisions about whether they can carry out those two roles and add value to both because of the positions that they hold.



I agree with Mr Beggs's assertion that, given the significant capital infrastructure that is required, we need to look to the private sector, hence the reason for much of the legislation. He spoke about the use of negative resolution, but, in his absence, I have already pointed out that it is explicit that the powers that will be taken under clause 16 will be subject to affirmative resolution in the House. Therefore, before any changes are made to the current local government legislation for transition committees, it would require the affirmation of the Assembly. If those significant changes are to be made, it is important that they are done with the assent of the Assembly.

Mr Beggs and I have disagreed about the issue in the past, and I will not spend too much time on it. However, I must give some attention to his point about whether there should be a shadow or transition period.

We have made the decision on that matter, and there is no point fighting about it. If we were to have councils in shadow form after 2011, I am fairly sure that there would be no urgency to complete the preparation work. Hence, we took the route of transition committees.

People argue that those who will not be members of the new councils cannot make decisions that will affect the new councils. However, that scenario happens every four years in local government. I am a member of Belfast City Council where, on average, the turnover of members during my time has been between 30% and 40% at every election, because people either drop out or are not re-elected. However, those members set the rate for the incoming council; they make capital decisions for the incoming council; and, sometimes, they have even appointed key officers for the incoming council. It is not a unique situation, and the transition committees will do a similar job for the new council. As I said, the rate will be set for one year, and councils will have the option to decide whether to appoint senior officers for fixed terms only. Therefore, it is not a huge issue.

Mr Beggs also mentioned the cost of the process. As Mrs Kelly said, some costs have already been met. We supply £150,000 per annum to councils to deal with the management of the transition. Members have asked about the long-term impact on rates. Given what we are trying to achieve, larger councils should benefit from economies of scale. There should be no duplication or triplication of many current posts.

The Bill tries to ensure that waste management is dealt with on a larger scale. Given the new technologies that are required, which represent a huge capital investment, we will receive the benefits of drawing down the unit cost and, therefore, save money for ratepayers. As Members said, we are also trying to ensure through the transition committees that we do not, at least initially, engage in unnecessary capital expenditure.

That is why those restrictions exist. There is potential for savings, which, of course, will be spread over time.

Finally, I will address the points raised by Mrs Kelly, most of which I have already dealt with. However, she raised several issues about the appointment of chief executives and other officers and the issue of equality in the transition committees. The policy development panels in the strategic leadership board are conducting work on the behaviour of councillors, the way in which councils will conduct their business and the equality issue. The strategic leadership board and, thereafter, the Department will examine that matter, after which it will go out for consultation. Therefore, all those issues should be addressed.

**Mrs D Kelly:** I thank the Minister for that clarification. However, he may not be aware that, in some councils, elected representatives are sometimes at risk from vexatious complaints and allegations from officers. As the Minister knows, people take on the mantle of public representation as a voluntary role. We must ensure that we protect the rights of anyone whom we encourage to come forward for election as well as the rights of employees. Therefore, will the policy development panel consider a mandatory code of conduct for councillors and also the protection of elected representatives?

4.15 pm

**The Minister of the Environment:** The Member has raised an important point. All of the public debate so far about what will happen in the Assembly and in the councils has focused on how to ensure that any misdemeanours that are carried out by public representatives are dealt with. The Member is right that complaints can often be made in a vexatious way in the other direction. Her party will have members on policy development panel A, which will deal with that issue. I hope that such issues will be raised, because it must be a two-way process.

The Member also raised an important point about vacancy controls. As we move towards reorganisation, some people will want out. Some of them may be key personnel, and vacancies may emerge. Policy development panel C will deal with the issue of the transferring of functions and staff, and it will bring forward recommendations on that. That issue cannot be ignored. Key personnel have fled from other organisations, leaving the problem of whether to put people in place for a short time, and the problem of getting the best people. That issue sometimes hampers the ability to reorganise, and it must be addressed.

Mrs Kelly also raised the issue of the timetable for local government legislation. Two other Bills are to be introduced. The local government finance Bill has been drafted and is subject to Executive agreement. It should go out for consultation between July and October 2009 and be introduced to the Assembly in



January 2010. Some policy proposals for the local government reorganisation Bill have been included in the Local Government (Miscellaneous Provisions) Bill, and will soon be due for consultation. The local government reorganisation Bill is scheduled for introduction to the Assembly in May 2010.

I hope that I have dealt with most of the points that were raised. Mr Beggs asked for firm figures on the cost of reorganisation. The strategic outline business case will be finalised in the coming months, and that should identify the costs and benefits that will result from the reorganisation of local government. That will be brought to the Executive in due course. Mr Beggs is quite right that, in the short run, there will be costs such as redundancy. In the long run, however, economies of scale, the better use of capital, and so on, will mean that we should finish up with a leaner local government system, which should lead to better value for ratepayers.

I thank Members for their contribution to the debate. Much hard work is still to be done on the Bill, and I know that the Committee for the Environment will give it the required scrutiny at Committee Stage. Departmental officials will, as always, wish to co-operate with the Committee on that, and I thank the Committee for its assurance that it will not stand in the way of ensuring that the legislation is moved forward in time to meet the May 2011 deadline.

This is probably my last opportunity as Minister of the Environment to address the Assembly. I have not always seen eye to eye with all Members, and they have not always seen eye to eye with me. I do not know who has been out of step, but it has been an interesting and a fruitful year. I appreciate that this place is about Members scrutinising the work of the Department and the Minister, and valuable work has been done. I am sure that my successor will enjoy the job as much as I have.

*Question put and agreed to.*

*Resolved:*

That the Second Stage of the Local Government (Miscellaneous Provisions) Bill [NIA 10/08] be agreed.

## EXECUTIVE COMMITTEE BUSINESS

### Budget (No. 2) Bill

#### Final Stage

**The Minister of Finance and Personnel (Mr Dodds):** I beg to move

That the Budget (No. 2) Bill [NIA 8/08] do now pass.

As the Assembly reaches the Final Stage of the Budget (No. 2) Bill, I thank my colleague the Minister of Enterprise, Trade and Investment for introducing the Bill on 15 June 2009 and for moving its Second Stage on 16 June 2009. I also thank her for handling the lengthy Supply resolution debate on 15 June 2009 and the Second Stage debate on 16 June 2009.

I also record my thanks to the Committee for Finance and Personnel for agreeing to the accelerated passage of the Budget (No. 2) Bill. I know that the Committee and Members of the House appreciate that accelerated passage is a necessity for logistical reasons to ensure a seamless flow of cash and resources to Departments throughout the remainder of 2009-2010. I thank the Committee for that.

I am pleased at the level of interesting debate that was held on the Supply resolution and the Second Stage of the Bill. I note that, as usual, the debates were all-encompassing and that they covered many important issues. I thank all Members for their contributions.

As has been stated, the legislation is the starting point of the 2009-2010 financial accountability process. The Bill authorises Departments to spend cash and use resources up to the limit that is set by the Bill, along with the Vote on Account and the Budget Act (Northern Ireland) 2009, which was passed in March 2009. In early 2010, the Minister of Finance and Personnel will bring to the House the spring Supplementary Estimates and a further Budget Bill, which will supersede previous Budget Bills and set a final limit on the amount of cash and resources that Departments may spend and use in 2009-2010. The Assembly will then hold Departments accountable for managing and controlling cash and resources within those final limits.

The Budget (No. 2) Bill is an important step in authorising public expenditure by Northern Ireland's Departments through the Budget Bills. Therefore, I ask Members to support it.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. I understand that today is the Minister's final day in office. I express my appreciation for his courtesy at all times and for the co-operation that he extended to the Committee in its work.

As I have stated in previous debates on the Bill, the Committee is satisfied that it has been consulted fully. The Minister has set out in precise detail why it is important that the Bill progresses before the summer recess. If it were not to progress, the consequences for departmental spending would be significant. As the Committee was consulted adequately in that context, it was content for the Bill to proceed by accelerated passage.

I draw a number of issues to the attention of the Minister and, indeed, his successor. Going forward, the Committee is keen to learn the outcome of the Department's review of the monitoring round process, which was due to be completed in March. I welcome the Minister's recent commitment that that will be considered soon. Perhaps, in the context of the past week's developments, that is all the more significant.

The Committee is anxious to engage in that process because it is also inquiring into the scrutiny of the Executive's Budget and expenditure programme. That inquiry has been delayed because of the review, so we look forward to seeing the completed document.

The Minister also stated that he will soon consider the report on his officials' review of the previous Budget process. Members should be aware that that was to have been forwarded to the Minister by last October. I am sure that the Minister will agree that he will need to approve an effective and effective process for scrutinising and agreeing future Executive Budgets as soon as possible. That includes a return to an annual Budget process.

I would be grateful if the Minister could be specific as to when this will be made available to Assembly Members and, in particular, to members of the Committee for Finance and Personnel.

In a previous debate, I highlighted the importance to this year's Budget of efficiency delivery plans. I restate that, as long ago as January, the Committee requested details on the qualitative analysis of individual efficiency delivery plans carried out by the Department of Finance and Personnel (DFP). We still have not received those. Will the Minister tell us why that analysis has not been forwarded to the Committee, and will he ensure that it is sent with some urgency?

Having outlined those outstanding issues which the Committee wishes to scrutinise, I declare my support for the motion.

**Mr Shannon:** While the Bill is technical in nature, it is extremely important. Not only does it give legal cover for the 2009-2010 Main Estimates, but it gives the House an important further opportunity to debate a wide range of financial issues. I concur with the last Member in congratulating the Minister of Finance and Personnel for his very diligent work during his tenure. With that office comes great responsibility and great stress. I pay tribute to the sterling work of the Minister

and his personnel. I am not sure whether it is in order, but I wish to mention in particular the work of Wallace Thompson. The officials have all done excellent work in managing the Province's finances at a time of worldwide recession and global economic downturn.

It is important to remember that we are not a sovereign Government and that we have limited fiscal powers. Some long for us to have greater fiscal powers, but their motivation must be questioned. I, for one, am very glad to be part of the United Kingdom. That constitutional position has helped us to shelter from the worst ravages of the economic storms. One has only to look at the economy in the Republic, and the transformation of the Celtic tiger into a scrawny pussycat, to see how beneficial it has been, yet again, to be an integral part of the United Kingdom.

Aa' hae tae sae Mr Specker that Aa' hae a feelin that this haes aw happent' afoar aboot muckle debates in this Hoos regerdin metters aboot mony. We heer iver an iver again, aboot tha need fer a new Budget proasess, an fer soon reasins o' giein oot mony tae this area an that. But theim that iver an iver agin caw fer this hae iver an iver agin fawed far shoart o' spellin oot whor they wud takk tha mony fae. It is aw quare an weel tae oarder an deman mare fundin, but we canny awaes roab Peter tae pay Paul. Tha quarterly takkin in tae acoont rooms, whuch er aften tauked aboot bi' sum Memers, oaffer a reel guid soartin oot wae o' brinnin aboot muckle changes tae tha Budget as it noo stauns. Aa' unnerstaun that weel iver yin billyin poon o' allocated an reduced needs hae bin maed throo tha takkin intae acoont rooms iver these paust twau yeer.

I must say that there is a sense of déjà vu to many of the financial debates in the House. We hear over and over again about the need for a new Budget process and for fundamental reallocations to this area or that. However, those who continually call for that consistently fail to spell out where they would take the money from. It is all very well to demand increased funding, but we cannot rob Peter to pay Paul. The quarterly monitoring rounds which are so frequently criticised by some Members offer a real, meaningful and effective way of bringing about significant changes to the Budget arrangements.

**Dr Farry:** The monitoring rounds only work if we actually get one.

**Mr Shannon:** The Member was present yesterday when this was discussed, and he heard the Minister's answer. I am sure that he is more than able to understand the Minister's words.

I understand that well over £1 billion of allocations in reduced requirements have been made through monitoring rounds over the past three years. Here again, there has to be an understanding of the issue. Departments should make full use of the monitoring

rounds to declare reduced requirements at an early stage and thus make much-needed resources available for reallocation.

It is also important to reject the myth that there is a black hole in Northern Ireland's Budget. Those who persist in that line of scaremongering are out of touch with reality. They believe that they were elected to bring about uncertainty and irrational, ungrounded fear, rather than stability and growth. It may not be such a leap to ask whether there is a black hole in the minds of some Members, rather than in the Budget. We were warned that the Chancellor's Budget in April would spell disaster, but it has not done so. There are certainly pressures, but they can and will be managed.

It is also important to acknowledge that even in the face of those pressures, much has been done to help ordinary people and local businesses, and we have seen examples of that over the past few days. Indeed, I commend the Minister of Enterprise, Trade and Investment for the £15 million grant scheme through which Invest Northern Ireland will support companies that are experiencing difficulties in the current climate. That short-term aid scheme is an excellent example of the effective targeting of limited resources, and it should be a triumph for the Assembly.

4.30 pm

I also welcome the Minister of Finance's announcement of a review of Senior Civil Service pay and bonuses; the issue was discussed during a previous Question Time, and it was also discussed in the Assembly yesterday. I acknowledge the contribution made by all grades in the Northern Ireland Civil Service over many years, especially during the years of direct rule, but, at a time when many people are struggling to find work or to put bread on the table, some people find that the high levels of bonuses for, in some cases, well-paid public-sector officials, are unacceptable.

Time does not permit me to go into further detail, because I am conscious that many issues have already been discussed and other Members wish to make a contribution. However, I stand by the Budget, not because it has been brought forward by my colleague, but because it makes sense.

I sometimes get weary of people spouting the same doom and gloom and never offering a practical alternative, other than to pretend that somehow, somewhere, the Minister is withholding an extra one or two billion pounds from us. I am sure that he wishes that he had one or two billion pounds in his hip pocket or sitting somewhere on his mantelpiece, but there is no extra money. The Minister has done an excellent job of allocation. The finer details lie with the other Ministers, and I wholeheartedly agree that the current monitoring round and Budget is the best way for us to work. Therefore, I stand by the Budget and support the motion.

**Mr McNarry:** In his Budget speech, Chancellor Alistair Darling said that the Budget deficit would amount to 12.4% of output in this financial year, falling to 11.9% next year. To put that into raw figures, it means that the UK's overall net debt stands at £775 billion, which is about 54.7% of annual output. That is the biggest proportion for more than 30 years. That, in part, is the economic context for the Budget. What do we find here in Northern Ireland? We are devoid of information. Did we overspend or underspend last year? The fiscal year ended in April, yet it is the last day in June and we still do not know. Are we having a redistribution of funds in the June monitoring round or are we not? We still do not know on the last day of June. Does it mean that we have already overspent in the first quarter of the new financial year? We still do not know, because we simply do not have the information. Will we meet Programme for Government targets? Can we pay for them? To whom do we address our questions these days: to our Finance Minister or to Alistair Darling?

Can we really say with certainty that the block grant cuts scheduled for 2011 onwards will not occur before 2011? Can we really say that the Chancellor can hold the line until then? If he can, why did he recently postpone his three-year spending review, and where are the figures? Where are the details of last year's Budget outcomes? Where is the June monitoring round? We hear that it is coming to us sometime, not in the ministerial statement but held over for debate until September. Yet the Finance Minister asks the Assembly to support his Budget Bill. We will not obstruct it because, as everyone knows, we are responsible people, but we have to ask what is going on in the secret society of the Finance Department, which gives out no information.

What is the full extent of project postponements? Are there cumulatively more than the 22 capital building and infrastructure projects deferred in January to the next financial year? There are five projects in the Department of Education, nine in the Department for Regional Development, four in the Department for Social Development, one in the Department of Finance and Personnel, one in the Department of Culture, Arts and Leisure and two in the Department of Agriculture, totalling £43.7 million. The 22 projects were costed into the money voted by the Assembly for last year's Budget, so where has the money gone? Has it been frozen, or is it being used elsewhere? In a sense, that deals with the postponements from the last financial year to this, but are we now accumulating, or likely to be accumulating, a growing list of more project postponements? Are we facing a disguised overspend that is being bailed out by project postponements?

Given that the DUP spends a great deal of time at Westminster, it knows that public spending cuts across the board are on the Labour agenda and that according



to many experts that cannot be stalled before the next election. When Labour inflicts early cuts or leaves behind a mess that makes such cuts unavoidable, who will pick up the pieces? Are we in a position to avoid cuts here? If not, what steps are being taken to calculate the effect that those cuts will have on us? Is our Budget strong enough to save jobs here? Only Labour has the books. We all know that cuts to public spending mean job losses in the public sector. Do we have the money? Have we a strategy to weather the further turbulence that will affect our economy in the public and private sectors? I leave that question with the House.

Finally, on a personal note, I offer my genuine best wishes to the outgoing Minister for the future. Quality of life is what one makes of it, and that is important to us all. I have enjoyed crossing swords with the Minister. It was never personal; as he said in a television interview yesterday, it was just party politics or playing politics. That is what I am here to do, and that is what he is here to do on behalf of his party. He will be missed by others and by me. I wish the Minister and his family good luck for the future. I hope that he enjoys every minute of it.

**Mr O'Loan:** I wish to comment on three areas: first, the construction industry and its connections with the Budget; secondly, the monitoring rounds; and thirdly, performance measurement.

I attended a meeting of the all-party group on construction at lunchtime today. A great deal of information was presented there, much of which was chilling to read. It is important that we do our best during this difficult economic time and that we talk as positively as we can about the situation; at times, however, it is necessary to have a degree of realism. Unfortunately, the message that was presented today was far from good.

The Construction Employers Federation said that at the end of May 2009, there were 12,350 construction workers claiming unemployment benefits. That is an increase of 6,770 since May 2008 and equates to a 120% rise.

We heard further evidence from their professional colleagues such as architects and surveyors; they presented information that showed that unemployment had risen in the order of 800%. To understand that, one must recognise the fact that there was virtually no unemployment in that sector before the recession started and that there is now substantial unemployment. More worryingly, they said that the level of business coming through their firms at present is very low. That is a particularly worrying indicator for developments in a year to 18 months from now. We should listen to that report with considerable concern.

The third piece of evidence is from the Quarry Products Association. It said that it is particularly

regrettable that the Chancellor and, indeed, our local Executive were not able to provide a real stimulus to public investment and the economy through the revenue route into the maintenance of our schools, hospitals, roads and, particularly, the social housing sector, in which there is a huge, historic underspend. In that case, "underspend" means a lack of adequate spend, rather than the meaning that we apply to it during discussions here. It said that demand for its products was down, year on year, by 30%.

All in all, that presents a very sad picture of the position of our construction industry. That is not the picture that I necessarily expected; I thought that the report would be more positive, particularly on the indications for the future. That leads to my second point about the inadequacy of using the monitoring rounds to address our serious situation. My party and I have argued intensively that something much more than monitoring rounds was needed to address the situation, and that a significant rewrite of the Budget was required.

The Minister said that this is his last appearance in the Chamber as Minister of Finance and Personnel. We have been dealing with a serious and conscientious Minister, and I give him due respect. However, he has not shown the flexibility and imagination necessary to deal with the very unusual situation that we face. He offered the monitoring rounds as the mechanism for dealing with our difficult situation; I do not see how anyone can seriously argue that the monitoring rounds were ever going to be enough.

It is unfortunate that, after putting his faith in the monitoring rounds, the Minister should end his tenure by failing to present the outcome of the June monitoring round to the Assembly, which should have been done before the summer recess. I hope that special measures will yet be taken to ensure that that happens. I understand that the delay was due to the necessary paper being sent to the Executive too late. That is the unfortunate note on which the Minister finishes his period at the Department of Finance and Personnel.

I spoke quite a bit about performance measurement in the debate on the Bill's Second Stage; I want to make further comment on that issue and update what I said. I said that a paper had come from the Department of Finance and Personnel, which reported, in very critical terms, on the failure of Departments to provide evidence of their delivery on public service agreements (PSA). There was much criticism of the reports that Departments were producing.

Last week, the Committee for Finance and Personnel received a report on its own Department's outputs, which the Chairperson referred to during a previous debate. We were presented with a report that, in summary, seemed most satisfactory: 16 of the Department's 23



PSA targets were achieved, five were on track for achievement and only two had lesser scores. However, on reading the fine — or not so fine — print, the Committee rapidly discovered that the targets that were described as “achieved” had not been achieved. I could go through the detail of that, but I will not. Suffice it to say that the Committee sent the report back to the Department and asked for it to be rewritten.

That report came from the Department that assesses the quality of reporting by other Departments. Despite saying that the reports of other Departments were not up to standard, DFP produced a report that could not be accepted by the Committee on the same basis. That is crucial because, as everyone agrees, the main issue is not just about spending money; it is how effectively that money is spent. The measurement and assessment of how money is spent is critical. We are at a point where the Minister can neither report on the success of his Department in delivering what it is committed to doing, nor report on his supervision of the process in other Departments.

4.45 pm

We cannot approach the passing of the Budget (No. 2) Bill, which will create the financial arrangements for the Executive for this year, with any confidence. A great deal of work remains for a future Minister to do.

**Dr Farry:** I will begin by paying tribute on behalf of my party to Nigel Dodds on his final day as Minister of Finance and Personnel. We have had our disagreements with him on budgets, rating and taxation issues, but it is important to recognise his commitment to the Assembly and to making devolution work. He has demonstrated that in his ministerial role, through responding quickly to circumstances that have arisen. As an example of that, I would highlight his intervention in the local government finance crisis for councils before this year’s rate-setting process. Although we may disagree about the details of that, the speediness of the intervention demonstrated the importance of devolution. That, in turn, requires Ministers who are prepared to take decisions.

I also want to recognise Simon Hamilton’s contribution as Deputy Chairperson of the Committee for Finance and Personnel. He is also stepping down, or, perhaps, stepping up, to new pastures in the Committee for Social Development. When Simon Hamilton chaired Committee meetings they ended an hour earlier than they did under the Chairperson. I am not quite sure what was going on there, but it will be interesting to see how things develop. I also congratulate Peter Weir on his promotion to Deputy Chairperson of the Committee. We look forward to working with him in future.

We have the luxury of discussing the Final Stage of the Budget (No. 2) Bill, which, in a strict sense, represents the status quo. We are endorsing decisions that were taken a long time ago and working our way through

the system. As we do that, however, we are also at the beginning of the rest of the financial process that lies before us. We must first reflect on the current difficulty of not seeing the June monitoring round statement. I do not want to point fingers as to why we have not had the June monitoring round statement, but we must simply recognise that something has gone seriously wrong in the system.

In one sense, things have been left very late in the day and have been taken close to the wire. In a broader sense, however, it is important to recognise that, although the June monitoring round may historically be the duller quarterly round, given that it occurs at the start of the financial year, there are major issues in this year’s monitoring round that require proper scrutiny. It is in this Chamber, first and foremost, that that scrutiny should take place. That scrutiny will be the poorer whatever mechanism is used to release the June monitoring round statement in the coming days, if not weeks, unfortunately.

The particular issue that I have in mind is the Chancellor’s Budget on 22 April, which included an increase in public spending in the United Kingdom of approximately £1 billion. I know that the UK Government do not like to call that another fiscal stimulus; they would like us to think of last year’s pre-Budget statement, which provided a £20 billion stimulus, as the UK’s response to the economic downturn. Nevertheless, the actions that the Chancellor took in April have produced some pump-priming effects on the economy overall.

As an Assembly, we are entitled to our share of that increased spending through Barnett consequentials. There is a major issue around how the additional resources that are now available to the Executive during this financial year, as well as some resources that will become available next financial year, will be spent.

In very simplistic terms, the Executive are facing a choice. They could take that consequential and offset it against the new demands for efficiency savings that have been made of us, setting one off against the other. That may be very tempting, but would be a very simplistic way of doing things, and may point to wasted opportunities. The alternative is to invest that money and follow the clear lessons to be learned from what the UK Government are doing. They feel the need to further invest in the economy, and to do things differently here.

I strongly defend devolution, and recognise that within it, the Executive and the Assembly have the ability to do as they see fit with that money. We are sovereign in respect of that decision. However, there are important lessons to be learned from what the UK Government are doing, particularly if one looks at the reasons why those consequentials have arisen. They have arisen through, for example, increased investment in the green economy and in social housing. Although

it is not comparing like with like to compare the situation in Northern Ireland with that in the rest of the UK, those are clearly pointers that should be encouraging us to do similar things, and, in turn, we should look to find those efficiency savings through work within our existing budgets.

I concur with the points that have been made about the limitations of monitoring rounds as a way of providing flexibility. Of course, that assumes that we get monitoring round statements in the first place. Monitoring rounds are limited to whatever moneys Departments are prepared to surrender and whatever Barnett consequentials come from the UK Government. In light of the new financial climate, those will be few and far between over the coming months and years. It is important to recognise that monitoring rounds do not delve down into the existing policies and practices of Departments to see if we should be acting differently, or whether there are existing things that may not be so desirable or important in the current context. Moneys involved in those projects could be released and invested in doing things differently.

I will put my cards on the table as a neo-Keynesian and say that I am mindful that there is a difficult judgement call to be made on public spending. In contrast to David McNarry, I do not panic if the Government go into debt. Debt management is part and parcel of government; it is part of managing a modern economy. The important question that must be borne in mind is whether that debt is sustainable in the long term.

My main issue is knowing at what stage it is wise to take the foot off the pedal in the pump-priming exercise. We are currently getting mixed indicators about how quickly the UK is coming out of the recession, if we are coming out of recession at all. We must be mindful of the latest report from the Organization for Economic Co-operation and Development (OECD): we are potentially talking about the UK economy having less than -4% of economic growth in 2009. That is a very sobering reality, and Northern Ireland will feel its share of that pain.

Jim Shannon commented on how wonderful it is to be part of a UK economy, and contrasted that with what is happening with the former Celtic tiger in the Republic of Ireland. I take no pleasure in pointing out how well we are doing in comparison with how poorly they are. There are particular reasons why the economy is suffering so much in the South of Ireland, particularly due to the housing bubble that has burst there. We have had our own housing bubble here; our economy is having difficulties; the UK economy is part of a wider economic downturn; and there are also specific issues in the UK economy that have to be tackled. I do not think that we can be in any way complacent about the wider situation.

It is important that the Assembly and the Executive take the economic downturn seriously; we have not been as effective as we could have, and the response of many Departments has been to maintain the status quo. The detail of the report by the Committee for Enterprise, Trade and Investment when it sought the comments of Departments shows that Departments were trying to adjust how they did business to the circumstances of the downturn rather than ask how they could contribute to pulling Northern Ireland out of this situation and how the Executive as a collective whole could co-ordinate action between Departments.

The silo mentality of Departments affects our ability as an institution to respond to the extreme circumstances that face us. This institution should be doing two things: first, we have a duty to try to mitigate as much as we can the effect of the downturn on Northern Ireland; secondly, we must prepare for economic recovery and take full advantage of the opportunities that will come. We must be optimistic that there will be light at the end of the tunnel.

Our interventions in Northern Ireland have leaned more towards mitigating the effects of the downturn. We have issues regarding support for businesses and we looked at the taxation system to help struggling local businesses. However, we have not done as much to rebalance and modernise our economy or take advantage of the opportunity to engage in higher spending in the short term to do things differently and to re-orientate the economy in Northern Ireland.

I was struck by the comment of Rahm Emanuel, the White House Chief of Staff, who said:

“Never let a good crisis go to waste.”

In Northern Ireland, we have let a good crisis go to waste, because we have missed opportunities to do things differently.

We have not done as much in the green economy; Northern Ireland should have wonderful opportunities in that area. We are falling behind the rest of the United Kingdom, which is falling behind the rest of Europe. We are at the back of the queue. We need to welcome the constructive comments made in the past week by the action group on the green economy, of which the CBI and the Institute of Directors were core elements. Its report is not simply the opinion of the environmental lobby; it has been endorsed by hard-headed businesspeople who point out opportunities for society in the green economy. The Executive have a duty to reflect deeply on that report.

Jim Shannon asked where we will find the money when we talk of increased spending on projects. I made a pledge to myself today that I would not mention the cost of division. However, the Alliance Party has made proposals in that area, which we sent to the Department of Finance and Personnel and to the Office of the First

Minister and deputy First Minister and which we are happy to discuss. The green task force made recommendations about where finances could be released in Northern Ireland to help matters, including encouraging savings along the lines of green bonds, if that is possible legally. There are some interesting proposals; it is not all doom and gloom with regard to where we can provide resources.

There are many challenges ahead, especially looming UK Government cuts. The period of increased spending will come to an end, and the reverse will kick in as debt is addressed. There will be difficult choices. However, we must assess all those matters and ensure that we make the right, balanced judgements in the interests of Northern Ireland.

**Mr Hamilton:** I will begin like other Members by acknowledging that this is the Minister of Finance and Personnel's final day. In fact, this is his penultimate act in the House, because next we have the important Lands Tribunal (Salaries) Order (Northern Ireland) 2009.

I put on record my appreciation for the service that the Minister gave not just to the Department and the Executive but to the whole of Northern Ireland in his time in office. As is evidenced by many of the topics that have been touched on in the debate, we all acknowledge that the finance portfolio is by far the toughest brief in the Northern Ireland Executive, and it is made all the more difficult by the circumstances in which we find ourselves. The Minister took over in difficult times, and he has made an exceptionally good job of trying to mitigate many of the ravages of the downturn.

5.00 pm

Dr Farry mentioned the rates assistance package, which gave some £8 million of assistance to local government in Northern Ireland. That assisted my local council greatly, and I have no doubt that it did the same elsewhere. At the last minute, the package helped greatly to keep local rates increases as low as possible.

However, that is not the only measure for which Mr Dodds's tenure will be remembered. He froze the non-domestic regional rate, which, at a very difficult time, eased the cash-flow difficulties of Northern Ireland businesses to the tune of some £8 million.

He indicated the Department's desire to bring forward legislation on small business rates relief. Multimillion pounds worth of assistance will be given directly to some of Northern Ireland's very small businesses, which, from our work on the ground, we know are suffering great difficulty. Indeed, we tailored that legislation to help post offices in particular. It is worth remembering that the Minister has provided assistance across the board. He has encouraged his Executive colleagues to ensure a record level of infrastructure investment of around £1.7 billion in the past year.

I listened intently to what Mr O'Loan said about the impact that has been felt by the construction industry in Northern Ireland. From our own experiences, we all know that our construction industry is going through exceptionally difficult times. Much of that concerns the bursting of the property bubble in Northern Ireland, which, thank goodness, has not been as big or as bad as that in the South. We acknowledge the difficult times and recognise the ill effects that the downturn has had, particularly on residential property.

However, if we are to be honest, we equally have to recognise the record level of investment that there has been on public infrastructure in Northern Ireland. We see the results of that, day in and day out, across all our constituencies. The investment has changed the physical look of our constituencies and the way in which public services are delivered there. Yesterday saw the official opening of the new Downe Hospital just outside Downpatrick. That hospital is a fine example of the major capital investment projects that we are taking forward right across Northern Ireland. Hopefully, not too many people will have to use those facilities, but, unfortunately, it is a fact of life that they will have to. People will see that the new facilities are state of the art, and they will get greater benefit from them.

Investment creates jobs right across the construction industry, from professionals such as architects and surveyors to the guys who put down the bricks and mortar. That benefits the Northern Ireland economy, and long may it continue.

Mr O'Loan talked about a lack of funding for ongoing maintenance, whether that is in roads or social housing. There is obviously an impact —

**Mr F McCann:** Will the Member give way?

**Mr Hamilton:** Unfortunately, I used the trigger words "social housing" and provoked a response from the Member.

**Mr F McCann:** In one of his previous Budgets, the Chancellor talked about the need to put public money into the maintenance and upkeep of social housing stock as a way of creating employment and keeping houses up to the decent homes standard.

In the context of the debate, does the Member agree that the Minister for Social Development's decision to divert money from maintenance will have a long-term detrimental impact on social housing and cost more in the long run?

**Mr Hamilton:** The Member will know that social housing is a subject about which I am learning rapidly, and I will receive quite a few more tutorials over the summer. He is right to make a point about maintenance. I have spoken to those in the industry and to the people whose homes that the Minister's decision has affected. The Minister has prioritised newbuild social housing,



and I understand her argument for doing so. However, she must appreciate the knock-on effect of that on the ongoing maintenance and repair of social housing. Her decision affects the small companies, which employ only one or two builders, and for which maintenance was a staple part of their work. The Minister's decision also has a negative impact on people who want to upgrade, enhance or replace their properties. I am certain that the Member and I will return to the issue in the coming weeks and months.

In extremely difficult times, the Minister of Finance and Personnel has achieved a great deal for Northern Ireland. The Assembly, the Executive and Northern Ireland will be the poorer for his departure from ministerial office. I wish him all the best in his future roles.

Mr McNarry concentrated on what his party has described as the inevitability of cuts to the block grant. He enjoyed giving a rundown of the cuts that he believes the Labour Party is likely to initiate to the Northern Ireland block grant and to public expenditure throughout the UK. I am far from being a supporter or advocate of the Labour Party, but it is unfair to level criticism at what that party will do without considering the other side of the coin, particularly given that the Conservative Party is now allied to Mr McNarry's party in Northern Ireland. Mr McNarry said that cuts are on the Labour agenda, but it is only fair to point out that cuts are also at the top of the Tory agenda.

It has been made perfectly clear in the Chamber, never mind out in the wider world, that cuts will come if and, as looks increasingly likely, when a Conservative Government led by David Cameron enters Downing Street. Recently, Andrew Lansley was famously silenced for speaking the truth when he said that although some areas of public expenditure would be ring-fenced and protected by a future Tory Administration, others would face savage cuts of 10%. During yesterday's debate on pay and bonuses for senior civil servants, Mr McNarry talked about their not being sent on gardening leave. Recently, however, Mr Lansley has been curiously silent. Perhaps he is tending to his garden more than would normally be the case.

As part of its alliance with the Conservative Party, the Ulster Unionist Party must tease out what would be the impact of that level of cuts on Northern Ireland and clarify the Conservative Party's intentions for Northern Ireland. We can surmise that the impact could be devastating. If, as has been indicated, hospitals, healthcare, schools and education are to be ring-fenced, the impact on other public services could be huge.

Northern Ireland's financial system allows the Assembly to exercise some discretion on expenditure in its own backyard. The Assembly, therefore, does not necessarily have to protect certain areas of public

expenditure. However, I imagine that if those areas were to be ring-fenced on the mainland, there would be a massive public outcry for the same to happen in Northern Ireland.

I detect little sympathy among the public or their representatives for cutting the provision of front line public services. If 75% of Northern Ireland's Budget, which is a huge amount, were to be ring-fenced for schools and hospitals, we would face not cuts of 10% but of as high as 40%. The percentage across the water is not quite as high.

That 40% in cuts would be to housing, road maintenance, road construction and agriculture. It would have a devastating impact on public service provision in Northern Ireland. There has been criticism of this Budget and of the previous one. Undoubtedly, there will also be criticism of next year's Budget because it will not go far enough or will not spend everything that everybody wants. However, if we are considering cutting key public service areas by as much as 40% in the future under a Conservative Administration that are allied to the Ulster Unionist Party, this Budget —

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

**Mr Hamilton:** Hold on; let me make my point. This Budget, last year's Budget and next year's Budget will be looked back upon fondly by all of us as representing the halcyon days in Northern Ireland public expenditure history. I doubt that future Budgets will come to be described as halcyon. The cuts to public expenditure will be so devastating that the oft-mentioned so-called social housing fund gap will be made to look like a rounding error.

**Mr McCallister:** During a debate a few weeks ago, the Member, with his head in the sand, said that he did not believe that cuts were inevitable. He has now completely turned around and thinks that they are inevitable and that the debate is just about who makes the cuts and by how much.

**Mr Hamilton:** The issue of who makes the cuts and by how much is important and needs to be debated. In financial terms, the year beyond 2011 is not yet clear. However, this party and, I imagine, all parties in the House, with the exception of the Member's, will fight hard against cuts. I hear no other party coming forward and saying that it will cave in to cuts because they are inevitable, and the more cuts that there are, the merrier. However, that is exactly the line that the party to which the Member belongs has been taking in the House: it has stated that savage cuts are the future of public expenditure in Northern Ireland.

The Member can argue that cuts are inevitable, but the fact is that this party and others will fight very hard to ensure that that is not the case. Indeed, we have had some success on that front in recent times. It is clear



that the Member's party, and the party across the water to which it is allied, is extremely keen on cutting. In that respect, it is probably inevitable in Northern Ireland that his party will be compliant with those cuts. Therefore, if there is a loss of service or a loss of public-sector jobs in Northern Ireland in the future, it will be the UUP's responsibility. Next year, or when a general election is called, the Member and his colleagues, in their electoral alliance with the Conservative Party, will go to the people on a platform of deep, savage and extremely detrimental cuts to public service delivery in Northern Ireland.

I very much welcome and support the Budget (No. 2) Bill. I also support the aims and objectives that it seeks to match. Dr Farry mentioned that this is one of my last occasions as Deputy Chairperson of the Committee for Finance and Personnel. I have very much enjoyed my tenure. During the two years that I have been on the Committee, I have noticed that the standard of debate on financial issues in the Assembly — my most recent contribution notwithstanding — is much higher today than it was two years ago. There is always room for improvement, not least in debating financial matters in this institution, but there is a more thoughtful approach to these types of issues and less of the begging-bowl approach that we were, perhaps, used to during the first Budget Bill that we passed very soon after coming into the Assembly.

That approach has not completely disappeared. We are all prone to falling and lapsing into that problem from time to time, but there is a more thoughtful approach to financial matters in this institution. Whether or not I remain on the Committee, my interest in the subject will continue. I hope that the growing maturity among Members continues when we debate matters of such financial importance.

5.15 pm

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle agus a chairde. I also wish the Minister well in his future endeavours. We have had our battles in another chamber, but I have always found him courteous in answering any questions that I have asked in the House or in Committee.

I support the Budget (No. 2) Bill. However, in doing so, I want to raise a number of issues that are relevant to the debate. Many people find it increasingly difficult in today's society to manage their meagre budgets. They struggle to make ends meet and with the establishment of the Assembly, they expected to see benefits from us controlling our own affairs. We must ask ourselves whether conditions have been improved to the extent that life is better for the long-term unemployed, those on sickness benefit, the homeless and communities that suffer the ravages of poverty and whose lives are

plagued by antisocial elements; such people have suffered not just recently but for generations.

Some communities in the North are being torn apart because of the prevalence of drugs, with some tragic cases resulting in death. There are also major problems related to alcohol abuse, as well as serious levels of suicide, particularly among the young. I ask Ministers, when it comes to considering their budgets, to remember that there are those whose lives may depend on us making the right decisions when allocating resources.

When budget cuts are required, the first to be hit are invariably those who provide the most basic of services — the front line staff and those who work in smaller, but often crucial projects, and, by extension, the neediest in society, who rely on those services and who have had their lifelines taken away, leaving them vulnerable and isolated.

On the housing debate, I made it clear that we support the allocation of additional resources to address the serious shortfall in the housing budget. When we speak of housing, we refer to the wide range of services that make up the housing sector.

Funding for the community sector through neighbourhood renewal must be continued and increased, because it enables many groups across the North to deliver essential services. Those groups are being seriously damaged, because jobs are being discontinued and projects are being forced to run on a shoestring. A group in my constituency, which has provided excellent projects and front line support for young people over many years, is to close its doors. That follows years of arguing for its services to be mainstreamed; an argument that, sadly, fell on deaf ears in social services and the Probation Board.

The question that must again be asked is: what is the real situation in regard to Supporting People? We are told that there is an increase in this year's budget of £1 million, but the story is different on the ground. Groups describe programmes being scaled down and jobs being cut. The Minister for Social Development must make the situation absolutely clear, instead of telling us that it is the responsibility of all Departments. She must spell out what is to happen to the section of the construction sector that is engaged in Egan contracts and faces having to lay off many hundreds of employees because funding is being allocated to newbuild.

Many of our communities suffer from a lack of local crèche facilities, which impacts particularly greatly on young women who wish to work. My colleague Mickey Brady frequently speaks of the lack of such facilities in Newry and Mourne, making it the most deprived part of western Europe when it comes to registered childminders. That issue affects all areas, which is why the Minister of Finance and Personnel must ensure that additional money is allocated to front

line services and that housing is prioritised to ensure that urgent repairs and replacements are completed.

We have a responsibility for those who are less well off. The budgetary process can be influenced by monitoring rounds. The Executive must ensure that, in the present economic climate, front line providers who deliver services at the coalface of the voluntary and community sectors do not fall off the radar. Go raibh maith agat.

**Mr Ross:** I do not intend to speak for too long. However, I will highlight a few important issues. I do not want to break the political maturity that my colleague Mr Hamilton spoke of earlier, but some significant issues in my constituency are also of interest with regard to regional strategies for Northern Ireland.

Part of the strategy includes the road infrastructure, and it is well documented that we are getting some finance from the Irish Government for the A8. The road infrastructure in that area is important, as is the development of the port of Larne, which is the second busiest seaport in the United Kingdom. Consequently, the port is important for Northern Ireland's future not only because of the freight traffic that comes through it but because increasing numbers of tourists come through it. In this time of economic recession, when people are holidaying closer to home, port officials tell me that more people from Scotland and mainland Britain are coming through the port to travel to the north coast. Of course, the freight transport that comes through the port is important for business, too.

In the past week, the Minister of the Environment announced that the Magheramorne development will go ahead. That project will also boost tourism, and it is important that the financial assistance that is required for it is forthcoming, so that we will have the world-class mountain-biking facility, pioneering eco-village project and hotel that will boost tourism not only in my constituency, but throughout Northern Ireland.

When looking at the Budget, such matters must be considered, and I hope that the future Finance Minister will be keen to consider projects that will benefit East Antrim and Northern Ireland.

**Mr McCallister:** I certainly hope that the future Finance Minister will do all that he can for East Antrim and, more importantly, for South Down. I thank the Minister of Finance and Personnel for moving the Final Stage of the Budget (No. 2) Bill, and I am pleased that he is here. Like other colleagues, I wish him well in his future role, concentrating on Westminster.

Although I regret the Minister's departure, I think that he would agree that he is leaving at a difficult time. In addition, he is leaving a Department that is in some disarray. The Minister has presided over record rates arrears and collection problems, the Workplace 2010 debacle and the worst fiscal position that the Executive have ever seen. Nevertheless, the Minister has consistently

refused to recognise many of those problems and many of his and his predecessor's failures. His refusal to re-examine the Programme for Government has left us in a position that will, in all probability, result in disorganised and ill-thought-out revisions and potential cuts to public services, departmental budgets, Programme for Government targets, or even public service arrangements.

No doubt, the Minister for Finance and Personnel will protest, but what plans has he left his successor to deal with the potential £1 billion water bill or the cost of swine flu, which might triple as we move into the autumn? Furthermore, the Minister must answer questions about freezing rates in light of the continued deferral of water charges. Is that sustainable? In addition, he must answer questions about the performance of civil servants in his Department and across the Executive.

The Finance Minister has also taken to attacking my party and the Conservative Party for the realistic and honest position that they have taken on the state of public finances in the United Kingdom —

**Mr Poots:** The Member asked whether freezing rates and delaying the introduction of water rates is sustainable. Is he suggesting that we should unfreeze rates and go ahead with introducing water rates? Is that the new policy of the Ulster Conservatives and Unionists — New Force?

**Mr McCallister:** I never said that; I asked those questions in the hope that the Finance Minister would answer them later. Is the position sustainable? Over the next few years, water will potentially cost £1 billion. Is that sustainable?

The Minister and his party colleagues have taken to attacking my party and the Conservative Party for being honest with the public about the state of public finances in the United Kingdom.

Public debt has reached frightening proportions and the most recent warnings from the Organisation for Economic Co-operation and Development highlighted that the UK economy could tip back into recession if public debt remains as it is and if our banks' refusal to lend continues.

**Mr Hamilton:** I thank the Member for giving way. The Member and I agree that we are in very difficult times, and he said that his party has adopted an honest position on what he has called inevitable cuts. Will he go the full way and be totally honest with the people of Northern Ireland by saying where exactly in Northern Ireland those cuts, if they are inevitable, will fall?

**Mr McCallister:** That is exactly the type of debate that we are trying to have. However, all we heard from Mr Hamilton today was more of the same. A few weeks ago, in an earlier debate, he denied that cuts were inevitable, now he says that they are. He wants to link

himself more closely to the Labour Government by saying that they might not cut as much as the Conservatives. The Liberal Democrats say that cuts are inevitable as well.

**Mr Elliott:** We have heard much debate about devolution being good for Northern Ireland, and I am not saying that it is not. However, does the Member accept that at the year ending March 2004, when we did not have devolution here and came under direct rule, we had what was probably the highest ever proportion of money for the roads maintenance budget? That budget is now 29% less for the year ending March 2009 under devolution.

**Mr McCallister:** I thank my honourable friend for that point. He and I know the impact of that decrease on the rural constituencies that we represent. There is not always good use of public money.

**Dr Farry:** Will the Member give way?

**Mr McCallister:** Oh why not? *[Laughter.]*

**Dr Farry:** I am grateful to the Member for giving way. I want him to clarify whether we are now hearing from the Ulster Unionist and Conservative Party that devolution is no longer in the interests of Northern Ireland and that it wants to return to the integrationist approach of direct rule. That is the implication of what has just been said. Is that party saying that it is renouncing 10 years of support for devolution going back to the Good Friday Agreement?

**Mr McCallister:** I have to agree with my colleague that Dr Farry has had far too much sun and that it is going to his head. What Mr Elliott said was that we need more money for rural roads; he was commenting that our roads maintenance budget is less. There is something in the devolved system that we are not doing right; there is poor management somewhere. However, I am not sure how Dr Farry infers that we are withdrawing support for devolution.

**Dr Farry:** Mr Elliott said it.

**Mr McCallister:** Mr Elliott did not: check the Hansard report.

The OECD has warned that unless we get our public finances into shape, we will dent confidence in our economy. However, such facts have not stopped the current, and probably not the next, Minister of Finance and Personnel from attacking the Conservative Party with what are, frankly, ridiculous allegations. That is despite the fact that opinion polls show that the public has most confidence in the Conservative Party to resolve the situation. We can now only assume that the DUP wants to wed itself completely to the catastrophic policies of the Labour Government.

The people of Northern Ireland should not be treated like fools; they recognise the problems that we face and they respect an honest appraisal. However, at the

moment, they are being treated to cloak-and-dagger and reshuffle politics from the DUP.

The Members to my right talk much about being the honest party. However, at the Second Stage of the Budget (No. 2) Bill, the young Vince Cable asked me whether I had heard of Keynesian economics. I say to the Member that we have witnessed a unique form of Keynesian economics in which, instead of setting money aside in good times and spending it in bad, the Labour Government have put the nation in unprecedented debt in an attempt to get us out of recession.

That debt is in danger of keeping us in recession. That has been recognised by his colleague Vince Cable, who strongly supports a plan to reduce public debt by reducing public spending, rather than by raising taxes.

5.30 pm

The Alliance Party wants to devolve tax-varying powers to Northern Ireland. That desire highlights the ignorance of certain Members in respect of the Barnett formula and its consequential. If we were to decrease income tax by £1, we would lose that from the block grant, and, if we were to raise it, why would the Treasury continue to put that money here? Furthermore, in light of the fiscal problems that we face, tax-varying powers will only mean tax-raising powers.

**Dr Farry:** One of the main policy advantages that has been talked about in respect of the supposed merger between the Conservative Party and the Ulster Unionists is enterprise zones in Northern Ireland. That is the great selling point of the link-up. How on earth can we have enterprise zones in Northern Ireland without tax-varying powers?

**Mr McCallister:** I am grateful for the Member's point. The Alliance Party talks at length about tax-varying powers, which, in its case, means tax-raising powers. The Alliance Party will not put a tax on water, but it will tax something else. However, it has not said what it will tax. It does not believe in the rates system. Rather than asking about enterprise zones, why does Dr Farry not tell us at what and to whom he wants to direct taxes? The policy of the Ulster Conservatives and Unionists is to convert Northern Ireland into an enterprise zone and to build up and encourage a strong private sector. We are too heavily reliant on public-sector employment. That is well known, but we are not making any progress in addressing those issues.

**Mr Elliott:** I thank the Member for giving way, because he has done so quite often. Perhaps the Member from the Alliance Party will get his opportunity to show us how well he can balance the books when his party receives ministerial responsibility for policing and justice, for which it has long run after the Government.

**Mr McCallister:** That is right.

**Dr Farry:** Will the Member give way?



**Mr McCallister:** I will give way to the “Minister”.

**Dr Farry:** I am not taking any bait on policing and justice; that is a serious matter for another day. A challenge has been made on taxation. The Member is being inconsistent in slamming the Alliance Party for advocating tax-varying powers at the same time as his party is advocating enterprise zones and not accepting the logical conclusion of that.

Taxes on business in Northern Ireland could be lowered. For instance, the campaign for a differential rate of corporation tax would mean a loss in revenue of £300 million. Under the terms of the Azores ruling, we would have to find that £300 million from public spending. We put forward proposals for addressing the cost of division in Northern Ireland, which has the potential to be worth £1 billion a year. It will not be easy, but if we make a start in that area, it will open up opportunities for redirecting spending or for lowering taxes to attract and encourage business.

**Mr Deputy Speaker:** I ask Members to ensure that interventions are short and snappy.

**Mr McCallister:** That was a short intervention on behalf of the Alliance Party. If only everything in life were as simple as the Alliance Party. Dr Farry talks about finding £300 million as though it is 50 quid that had been shoved down the back of a sofa. However, £300 million pounds is a significant amount of money, and it will have to be added to other expenses, such as the £1 billion cost of water that I asked the Finance Minister about earlier. Furthermore, the cost of tackling swine flu could triple by the autumn; there is a reduction in capital receipts; there will be associated costs to the devolution of policing and justice, as my colleague mentioned; and the Civil Service equal pay claim has yet to be addressed. Those issues are jostling for position, but Dr Farry talks about building into that another £300 million, and claims that it should not be hard to find.

**Mr Hamilton:** I thank the Member for his indulgence; he has been very kind to all Members during this debate. However, I wonder whether I have detected another inconsistency in the Ulster Conservative and Unionist Party’s fiscal policy. Is that party now opposed to reducing the differential rate of corporation tax for Northern Ireland? That certainly sounds like what the Member has just said.

**Mr McCallister:** I was merely trying to point out to Members and to Mr Hamilton that it is time they stopped living in a fantasy land.

A few weeks ago, Mr Hamilton stated that cuts were not inevitable, but he has now said that they are. He has also said that £300 million is easy to find. I was trying to be realistic and honest with the public by admitting that these are seriously difficult issues, which must be tackled. At some point in time, the Assembly will have to have the debate on how we pay for water and swine

flu, and whether we ring-fence health spending or find the £300 million to encourage enterprise zones.

It is easy for Members to come to the Chamber and call for more money. My party is the only party to stand up and tell the public that it wants an honest debate on how we spend the money and on the state of the public finances. We are not saying that we can go on indefinitely with the current level of spending, with no cuts, no tax rises and no changes to anything. We cannot keep spending; our constituents know that that is unsustainable.

I have worried in the past about the Environment Minister’s views, particularly on climate change, and there was perhaps a concern that his views would transfer to his new position as Minister of Finance and Personnel. However, I am grateful to the First Minister for putting all of our minds at rest by telling us that Mr Wilson used to mark children’s economic papers, and is well-placed for his new job. I wish the outgoing Minister well, and I look forward to his successor’s beginning work.

**Mr Weir:** The Member has been quite derogatory about the new Finance Minister, and has belittled him by saying that he:

“used to mark children’s economics papers”

when in fact the Minister was the external examiner for economics in Northern Ireland. Perhaps the Member will tell the House how his economic qualifications compare to those of the Minister?

**Mr McCallister:** My qualifications are certainly not as high as the Minister’s. I have never marked any economics homework; I can confirm that. *[Laughter.]*

**Mr Attwood:** I share in the positive comments wishing the present Finance Minister well in whatever expression his future political life takes. However, I would actually go a little further than the rather stereotypical exchange of views between the Ulster Unionist Party and the DUP. I think that the Minister, in his future job at Westminster, has certain obligations to think about, as do all the Westminster MPs, in respect of future Budgets.

This morning it was revealed that two aircraft carriers, which are part of the spending commitments of the British Government, have increased in cost in the last year by £1 billion; from £3 billion to £4 billion. The question has been asked, not by party politicians but by the former Secretary-General of NATO, by Paddy Ashdown and by the former Deputy Chief of Staff of the British Army, all of whom are now out of Government and work for a think tank, as to what the point of Trident II was. By implication, what is the point of spending billions of pounds on aircraft carriers, when the strategic and military requirements of the British Government are not what they were in recent history?



As the Minister leaves office here and returns in a more full-time capacity to Westminster, I ask him what his view will be on the tight votes that may be held over the next months and years on the new generation of Trident and on those aircraft carriers that increase in price by £1 billion every year, even when defence specialists, or people who purport to be defence specialists, say that there is no military or strategic need for them.

Those are the issues that Nigel Dodds will have to address when he goes back to Westminster, as will all the Northern Ireland MPs. I hope that such votes will be held in the British Parliament sooner rather than later so that decisions can be made that will ease the burden that falls on all those in the devolved Administrations who are subject to British Government finance. That is a serious question, particularly when serious people, or people who purport to be serious, have made the recommendation that I outlined earlier.

I say that against the backdrop of what I hear when I move between the airwaves from the 'Good Morning Ireland' radio show to Radio Ulster to Radio 4. This morning, 'The Today Programme' on Radio 4 reported that much international evidence and advice now suggests that there may be a second wave of recession, known as the "double dip", and I think that Alliance Party members referred to that, too. If we do face that double dip, the stereotypical debate between the Ulster Unionist Party and the DUP about who is going to cut more, when and how quickly will become even more marginal to the debate on the strategic economic issues. In that context, the decisions about the new generation of Trident and aircraft carriers become even more crucial.

I do not intend to beat up on the Minister about what he has failed to do. I want to outline the strategic opportunities that the SDLP believes have not been grasped over the past years but which, hopefully, will be grasped in the second phase of the second mandate of devolution. Those opportunities are over and above the ones that I have already mentioned.

If the Minister were to speak to officials in Dublin, he would find that some of them are pulling their hair out over what they regard as the wasted opportunities in North/South developments; opportunities that they believe are outside the architecture of the Good Friday Agreement and that are waiting to be grasped. If the Minister were to speak privately to some of those officials, they would say that, unfortunately, those bilateral opportunities that are waiting to be grasped involve finance and personnel matters.

Obviously, I will argue that much more should be done on a North/South basis under the architecture of the Good Friday Agreement and further to the review of the North/South implementation bodies, which is ongoing and due to report in October. Without prejudice

to how the SDLP views that, officials in Dublin do not understand why opportunities around the border, especially those that involve healthcare, are not being grasped, how potential all-Ireland procurement is not being taken forward and how green issues and green energy are not been developed on an all-Ireland basis. That is not heavy political stuff. Those are immediate opportunities, even outside the architecture of the Good Friday Agreement, that officials would argue should be developed urgently. I am sure that the Minister has a view on that.

I know that people will beat up on the Celtic tiger and the state of the Southern economy, but how is it that those less-political opportunities have not been seized in the past couple of years? I ask the Minister and his successors to consider how that situation could be rectified in the next two years.

My second question is small fry compared to the new generation of Trident, and relates to the pay of public officials generally, which I raised during the debate on the Supply resolution for the 2009-2010 Main Estimates. However, if the Minister has not read the Hansard report of that debate, I want him to hear what I think should be done in the interim.

5.45 pm

The publicly funded bodies in the North, whether they receive partial or full funding, should, when it comes to their chief executive and their senior salary pay structure, have obligations to those who pay those bills. I hope that the future review of salaries is extended far and wide. In the interim, the Minister should, first of all, tell those publicly funded bodies that chief executives have a personal responsibility when it comes to whether they accept what remuneration committees recommend that they should be paid. He has a personal responsibility to say whether that is fair and proportionate to them and to other staff members and in the context of the wider community and the recession. I get a sense that some of the chief executives do not feel that any personal responsibility falls to them when it comes to their pay increases.

Secondly, there should be a line of reporting from those publicly funded bodies to the DFP Minister and his Department in respect of their proposed pay increases.

Thirdly, there should be some line of accountability and input from DFP or the funding Departments in respect of proposed salary increases. It is not acceptable that when lay senators of publicly funded bodies in the North recommend what the head of a university should be paid, there is no representative from DFP or DEL sitting on that remuneration committee. That would be a good practice. Government representatives should sit on those remunerations committees and listen to what is going on. It is clear that in some institutions in the North those remuneration committees are guided by

factors that are not reflective of the public purse or the public interest.

In his first-day brief to the incoming Minister, the outgoing Minister should establish, here and now, best practice when it comes to the bonuses and the pay of chief executives who get substantial funds from the public purse, pending whatever broader review can be undertaken. I have no doubt that someone nearby is scribbling a note that says that those bodies are legally independent. DEL appoints members to the senate of Queen's University, it has a statutory responsibility for higher education, and it has personnel who sit on some of those governing bodies. The same situation applies to many other public bodies in the North. Let us put people who reflect the public interest into those organisations and onto remuneration committees to ensure that, in the future, things are not disproportionate and, at times, even arbitrary.

The fourth issue relates to housing, and the Minister will have been expecting to hear that. I have no doubt that the outgoing DFP Minister has a political and personal commitment to social and affordable housing. One cannot come from the constituency of North Belfast and not have that commitment. I have never heard anyone in the housing sector in the North say that Nigel Dodds has little interest in housing need. However, I do hear people say that DFP officials think that there is no housing need. They think, because of the history of housing over the past 30 years, that housing need has been met and that there is not significant unmet need across the range of the housing sector. There is an issue there, but I do not think that that crosses to the Minister.

For that reason, I was disappointed and surprised that the Minister did not accede either to the recommendations that the Department for Social Development or the Committee for Social Development made in December on the reallocation of non-housing moneys in that Department's budget. However, as the Minister is aware, that was corrected dramatically in January when he agreed to the reallocation back into the housing budget of funds in the Department for Social Development that were unspent on non-housing matters. He went further in his letter to the Minister for Social Development, acknowledging that there would be a disproportionate impact on the construction industry if there were not sufficient funds for housing.

Will that be followed through in future budgetary needs? In the event that money is not spent on the Royal Exchange development, the SDLP would argue that it should be reallocated back into the housing side of the Department for Social Development's budget. Sinn Féin is now on record as stating that £100 million, if that is the sum that we are discussing, should be reallocated to the Department for Social Development's housing budget from the non-housing side; indeed, I

trust that members of that party will prevail upon their Ministers to support that approach. Given what the Minister said in January, and given his better practice then, is that the advice that he will give to his successor?

Bearing in mind the disproportionate effect of the housing downturn on the construction industry, and given the Minister's personal commitment to social housing, will his advice to his successor be that he should follow through on those warm words and big aspirations and accept what the SDLP and Sinn Féin have said, and, I trust, what the Sinn Féin Ministers will also say? Will the advice be that the greater part of the budget that was allocated to the Royal Exchange development should be redirected back to the housing side of the Department for Social Development's budget?

In that context, I ask the Minister to acknowledge a serious strategic issue that has arisen. Given the suggestion that there may be cuts of 10% or thereabouts from 2011 onwards, there is a danger that publicly funded bodies in the North will produce their future financial plans unilaterally. That was apparent in the vote of the senate at Queen's University last week. Not one word of the document that the senate endorsed relied on anything that a Government Minister said in this Chamber in the previous 10 days or on what Department for Employment and Learning officials told the Committee for Employment and Learning a week before the senate vote. The document relied on what John Denham, the London Minister who had responsibility for higher education in England, said to the higher education sector there.

I find it curious and irregular that a Government-funded body in the North decides unilaterally what it thinks will happen in 2010, 2011 and thereafter, disregarding everything that is said at a political and official level in the North. That raises the fundamental issue of political authority. The consequence is that the Minister might find that other publicly funded bodies decide this year and next that they know best when it comes to future public-spending allocations to their institution, thereby usurping the role of the Minister, the Department and the Assembly and saying that they will rely on what informed sources tell them is the gossip on the London circuit.

It would be a serious issue if other institutions followed the example of Queen's and took the view that they knew better than any politician or Minister in the North. That is a potentially serious situation that must be addressed. Perhaps it should be addressed in the way that some people have suggested. Does the Government here have any understanding, despite the political propaganda of the Tories and Labour, of what is believed deeply in the official system in London?

Simon Hamilton has just said that health and education are safeguarded when it comes to future public spending

needs. Given that a disproportionate amount of the Budget in the North is spent on that, compared with other parts of Britain, we will have ring-fenced 75% of our funding in health and education, and all the burden of future cuts will fall on the other Departments. As Simon Hamilton said, that could represent up to 40% of their budgets.

In the context of the recession, the potential for a double dip and the absence of monitoring returns on the Floor, it will be a matter of neglect if the Assembly goes into recess for 10 or 12 weeks. Given that monitoring returns and quarterly spending have become a political dogma for the DUP and Sinn Féin, the SDLP has gathered the names of all its Members to convene a special meeting of the Assembly next week. I hope that other Members will back that proposal so that what is said to be the answer to the recession in the North, when it comes to Government funding, can be properly scrutinised, and a message sent to the community that, although a recession may or may not bite deeper over the next two or three months, this place will not sleep during that time.

**Mr Poots:** Follow that.

**Mr Weir:** I hear cries of “follow that”; I will try my best to follow Mr Attwood’s wise words. As other Members have said, there is a degree of finality about this debate. However, if Mr Attwood and his colleagues get their way, we will have the stunt of an additional meeting of the Assembly. However, leaving that aside, the degree of finality stems not only from the fact that today’s debate is on the Final Stage of the Budget (No. 2) Bill, but from the fact that, as several Members have said, this is the final debate in which Simon Hamilton will be the Deputy Chairman of the Finance Committee. I see that he is welling up with tears at that prospect. However, as a member of that Committee, I pay tribute to Simon’s efforts.

**Mr McNarry:** Who is the new Chairman?

**Mr Weir:** The name escapes me.

I also pay tribute to the outgoing Finance Minister, Nigel Dodds, who has brought gravitas and conscientious work to the post. Given the eulogies that he has received, Nigel must feel that he is attending his own funeral today. However, I listened earlier to Declan O’Loan’s somewhat balanced and nuanced attitude towards the Minister. To be honest, if I was heading towards death, I am not sure that I would ask Declan to write the eulogy.

Even Mr McNarry, when he moved off his Conservative script and struck a personal note towards the end of his speech, paid a personal tribute to the outgoing Minister. His remarks to the effect of “Nigel, it was never personal” somewhat reminded me — and I have a film fan, Mr Hamilton, sitting to my right — of the latter stages of ‘The Godfather’, in which an underling who had served under the godfather was found to have

betrayed Michael Corleone. As he was being taken away to be shot, he delivered a parting line to the effect that it was nothing personal, only business. One hopes that Mr McNarry does not suffer a similar fate. Perhaps, in future debates, I will regret making that generous assessment. *[Interruption.]*

**Mr S Wilson:** What about finance?

**Mr Weir:** Few people have been deterred from mentioning a great deal about finance during today’s debate; I will not fall into that trap either.

I see that Mr Attwood is no longer in his place. We have a range of finance debates, and there is, at times, a déjà vu quality to that. Curiously enough, the issue of social housing seems to come up fairly constantly, particularly through Fra McCann or the SDLP.

At least a few novel interventions have been made in the debate. I would have struggled to have found a way in which to introduce Britain’s nuclear deterrent into the debate. The SDLP is very keen on an early devolution of policing and justice powers, and I am not sure whether that party is attempting to bring Britain’s defences into the realms of the Northern Ireland Assembly’s competence.

6.00 pm

**Mr McNarry:** Only if Stephen Farry gets the policing and justice job.

**Mr Weir:** Yes, one has heard of a nuclear option, but one did not necessarily think that that was what was envisaged.

Although Mr Attwood did not go into much detail, he suggested that a bit more “North/Southerly” would solve all our problems. As the Celtic tiger economy sinks further and further, I can understand how getting a lifeline of joint work would be attractive to a Government official in Dublin. No Member could be opposed to productive co-operation that is practically driven, but the analogy is that the Republic of Ireland is a mountaineer who has fallen off a mountain. We do not want to be tied to a rope with that mountaineer as he goes hurtling downwards. Mr Attwood’s proposals —

**Mr Kennedy:** What are you rambling about?

**Mr Weir:** Perhaps if you had listened, Mr Kennedy, you would know.

A much greater attachment to the downward-hurling beast that is the Republic of Ireland would not benefit our economy. The DUP has no problem with co-operating with the Republic of Ireland on practical measures, but the SDLP and Sinn Féin have turned down practical suggestions for help. For example, the Committee for the Environment considered the route of the North/South interconnector to help the energy market, and the SDLP and Sinn Féin have been equally guilty of opposing the proposed route. The interconnector



is an example of “North/Southerly” that can be beneficial to the people of Northern Ireland, and it has met constant levels of opposition.

**Mr Kennedy:** Mr Weir’s party colleague William Irwin will be aware of the importance of having a sensible route for the interconnector that does not impinge on private dwellings and, where possible and if necessary, is built underground. Mr Weir should realise that that is a very real issue for a great many people, not only in Newry and Armagh but in constituencies from which he may be quite removed.

**Mr S Wilson:** Is that a traditional route or a rerouting?  
[Laughter]

**Mr Weir:** The new Minister of Finance and Personnel stole my thunder on that. I am disappointed that he is looking at rerouting.

The most sensible route should be taken. The evidence from an economic point of view suggests that a large amount of underground cabling would be massively disadvantageous financially when compared with overground cabling. I have heard the evidence, and I understand the constituency interest that Mr Kennedy and Mr Irwin will have, but, with the best will in the world, we must remember that the interconnector would be of benefit to all of Northern Ireland. We must look beyond the prism of constituency interest.

Work is to be done on the review of senior salaries, and, indeed, the issue of senior salaries must be examined more widely. However, I find it disappointing that Mr Attwood chided some of us for taking a marginal interest in whether large cutbacks would be made to public expenditure yet then seemed to be fixated on the pay of a relatively small number of chief executives. Undoubtedly, that issue is of interest to the public, but its impact on the global financial scale is somewhat limited.

A number of Members from the Conservative Party contributed to the debate. I do not say that in a derogatory tone, but I noticed something in the debate that I have noticed before. I offer one piece of advice to the scriptwriters at Conservative Campaign Headquarters: it might be vaguely helpful if the words “Ulster Unionist Party” were mentioned occasionally.

Constant references are made to Conservatives and Labour, but they seem averse to working the words “Ulster Unionists” into their speeches. Indeed, disjointed comments were made in the debate, particularly by Mr McCallister. The Conservative Party, which is supposedly the party of low taxation, talked about freezing rates and not imposing water charges. I was of the belief that the Conservative Party favoured low taxation, yet it seems keen, possibly, to impose that. Those Members asked many questions but provided few answers. Indeed, they seemed keen to pose those questions to the Minister.

Much was made of whether cuts are inevitable. I will deal with Mr McNarry’s question about whether there are likely to be cuts before the next election. It has been made clear that whatever settlement exists is in place until the election. Indeed, Lord Mandelson, the great guru of new Labour, even suggested that the comprehensive spending review period would not be brought forward before the election.

However, cuts could become inevitable if the Conservative Party colleagues of the people who are complicit with it — the Ulster Unionist Party — get into power. It is clear that it will impose cuts. That is inevitable. It will be no use reaping the benefits of association with “Call me Dave” Cameron when his party makes cutbacks; the party opposite will be completely complicit with that.

That is not just a matter of public conjecture. The Conservative Party has made it clear to the public that if it gets into power, health, education, overseas development and defence will be ring-fenced; every other area will face cuts, which, I believe, will be in the region of 10%. The Assembly deserves answers from those who have an insight into Conservative thinking on the effects of such cuts on Northern Ireland. We need honesty.

If the Conservative Party makes cuts, the Assembly must have clarification, as Mr Hamilton said, on whether they will affect health and education here. Will those areas be ring-fenced? Will Northern Ireland take a 10% cut across the board and have to shoehorn that into areas other than health and education? Will it be that only the 25% of capital that is not allocated to health and education will be cut by 10%?

Indeed, if, in the spirit of openness and transparency that Mr McCallister seemed keen to tell the Assembly about, those cuts, which they claim will be inevitable, are brought in by the next, Conservative, Government, there is a duty on the Conservatives and Ulster Unionists to bring forward information on precisely where those cuts will be made. Until the Assembly receives that information, it will be difficult to make projections for the future.

It is strange that Mr Elliott seemed to send closet messages to Traditional Unionist Voice by expressing a desire to return to direct rule. Mr McNarry referred to capital projects that have not moved forward, which total, if I am correct, about £43 million. The Assembly wants all capital projects to move as quickly as possible. However, let us set that against the context of the highest level of capital investment ever made in the history of Northern Ireland: some £1.7 billion gross, £1.4 billion net. That investment exists in the infrastructure.

There will be strategic opportunities in future. There is no doubt that there will be pressure. However, I look to our Conservative colleagues to provide answers,



instead of simply throwing questions at the Minister. Unfortunately, those have been lacking.

In the meantime, we have a Budget that is fit for purpose. It puts the economy at the top of the agenda, and it delivers. Mr Hamilton mentioned the specific case of Downe Hospital, and there is a range of such projects. Recently, in my council area, we saw the work projected for the Ulster Hospital. That will benefit people from several constituencies. We have seen direct delivery on a massive number of capital projects.

The Executive are delivering for people in Northern Ireland; the Budget is the right way forward, and I commend the Bill to the House.

**The Minister of Finance and Personnel (Mr Dodds):** I thank all the Members who took part in the debate, and I hope to be able to respond to some of the issues that they raised. It is commendable that so many Members are present at 6.10 pm on the last sitting day of the Assembly, on a lovely summer's evening. I see some of the usual suspects who attend finance debates; however, I thank everyone who took part in this and in all other finance debates. They have mostly shared a similar cast of characters, who make similar speeches and return to similar themes.

At Westminster, coming up to the summer recess, a game is played, which involves guessing which MP will be the first to demand a recall of Parliament during the summer to cover some crisis or other. In the Assembly, we did not even have to wait until recess before there was a demand for the recall of the Assembly. People often say that it is inevitable that when recess begins, someone calls for the return of Parliament. We have had the intimation already that the Assembly will be recalled. I am sure that every Member is thrilled by that prospect and looks forward to it.

I thank the Committee for Finance and Personnel once again for facilitating the accelerated passage of the Bill, which will enable it to receive Royal Assent by 31 July.

In the time available to me, I want to deal with a few of the issues raised, and then I will make some general comments. Mitchel McLaughlin, the Chairperson of the Committee for Finance and Personnel, raised the issue of the reviews of in-year monitoring and of the Budget process. Those will be considered during the summer by my successor, and he aims to provide the reports to the Committee before the next Assembly session. I am sure that he looks forward to spending part of his summer dealing with both that issue and the next round of monitoring respective efficiency savings, which will provide the full-year position.

Jim Shannon raised the issue of the so-called black hole in the Budget. That has been a recurrent guest at our finance debates. Less and less is heard of that. It was a major theme a few months ago, but it disappeared

completely into another black hole when it became clear that there is and was no black hole in the Budget. All the dire predictions made at that time about the terrible, devastating black hole in the Budget and the impact that it would have did not come to pass. The black hole has not been mentioned today, except by Mr Shannon, who highlighted the fact that it is not an issue.

I also want to agree with Mr Shannon's comments on the importance of the review of Senior Civil Service salaries, which may produce a better use of resources.

A number of Members raised the issue of the June monitoring round. Mr McNarry and others talked about the lack of information. However, it has been made very clear that the June monitoring position will be reviewed again at the Executive meeting on Thursday, and the position will be set out. There is no mystery about that, or about the provisional out-turn position, which will also be made clear. A comprehensive picture of the financial position for this year will be set out, and it will cover most of the issues that Mr McNarry raised.

In relation to UK fiscal policy, which was raised by the Member and others, those are questions —

6.15 pm

**Mr O'Loan:** Will the Minister give way?

**The Minister of Finance and Personnel:** No. We have had a lengthy debate, a lot of issues have been dealt with, and I want to try to respond to some of them in the time that is available.

UK fiscal policy and the Treasury's approach to that at Westminster fall outside my remit; it is a matter for colleagues at Westminster. No doubt, the Member will be able to ask questions of people who are closer to him than to us in respect of the forthcoming impact of cuts on the Northern Ireland Budget.

There was mention of capital projects being deferred, but, as Mr Weir pointed out, the fact of the matter is that last year, we spent £1.7 billion gross on capital investment, which is a greatly enhanced figure compared to the year before and compared to the year that Tom Elliott mentioned, which was 2004. He picked out one particular issue about roads maintenance, and I will come to that in a minute. However, looking at the overall picture, it is a vastly improved situation as far as capital expenditure is concerned, considering that under direct rule just a few years ago, it was less than half of that. We need to get those things into perspective.

With regard to the whole debate about Labour or Conservative cuts — or Liberal Democrat cuts for that matter, if they should ever get into power as part of a coalition, and maybe they will — those parties are all on record as saying that they will implement cuts to public expenditure. Some are more open about it, and there is a debate going on about who is more open and transparent about it. It has been made very clear, and

no one will dispute it. The Conservatives have made it clear that they are open about it and would go further and make those cuts earlier, but both of them are committed to it.

We will oppose both of them as far as the impact on Northern Ireland is concerned, for the reasons that have been set out in respect of the needs of Northern Ireland and the gaps in funding between Northern Ireland and the rest of the UK in certain critical areas, which means that protecting the Northern Ireland block grant will be a priority for us in Westminster, and, I hope, for other parties as well. I doubt that, if people are going to be linked with a party that will propose such cuts, but we will oppose them on the grounds that the Northern Ireland situation needs to be protected for all the reasons that Members regularly outline, such as health, education, and so on.

One of the arguments about the Barnett formula is that although it has served us well over the years, it is based on population and does not take need into account. Therefore, there is an issue there for Members who are asking about the position of the Northern Ireland Executive. They talk about honesty, transparency and openness, but there are swingeing cuts coming down the line to the whole Whitehall apparatus, including all Departments, the Northern Ireland block grant and the Northern Ireland Office. The people who raise those issues also need to address that.

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

**The Minister of Finance and Personnel:** As I said previously, I want to try to address the issues that have been raised. Many of the points are not new. I read the Second Stage of the Budget (No. 2) Bill in the Official Report, and a lot of the issues that have been raised today were raised then. I do not blame anyone for that, because people are being consistent. However, they are similar issues, and there is nothing particularly new in some of the themes that have been raised.

In respect of Mr O'Loan's comments in relation to the construction industry, I have referred to the increase in expenditure in the capital budget. However much one wishes to disguise the fact, the Executive have done an enormous amount in that regard across all Departments. The massive increase in capital expenditure is not only delivering a better infrastructure for the people of Northern Ireland and the needs of Northern Ireland going forward but helping the construction industry through the very difficult economic downturn.

Over and over again, Mr O'Loan and other Members raised the issue of the Budget process and in-year monitoring. If we are going to be open and honest, we must recognise that the Budget process is not the panacea for resolving all our problems; rather, the critical issue is about how resources are applied.

Over and over again, I also hear Members being critical of the Budget process and suggesting areas in which they want expenditure to be increased. However, I have rarely, if ever, heard a Member — we have not heard it today, even though Members were challenged — suggest changes to the Budget. There are one or two isolated examples, but, when the facts were probed and examined, it became clear that the savings were not as obvious as Members had made out. People never ask where the money will come from and which budget line will be raided for the current expenditure profile to pay for the extra expenditure that is required in another area. That simply does not figure.

We have a devolved Government and Assembly. We also have a Budget that is predicated, to a large extent, on the block grant and is, therefore, a finite amount. The more money that is spent in one area, the more money will have to be taken out of another area. That is where openness and honesty needs to come from.

We heard a lot of lecturing today, from Mr McCallister in particular. I do not want to be too unkind in this debate. However, from reading Hansard reports, I know that, more than any other Member who contributed today, Mr McCallister rehearsed many of his arguments during the debate on the Second Stage of the Bill. However, today, he did not even acknowledge any of the work that is being done by the Executive, of which two of his colleagues are members.

For example, he and other Members suggested that the health budget should be ring-fenced and protected from cuts or efficiencies. He talks about the need for honesty and openness. That proposal would, effectively, see the Health Service receive £300 million over and above the expenditure that it has already been allocated. If that is to be implemented, Mr McCallister and his colleagues must tell us where that extra £300 million can be found. However, they never tell us that.

Mr McCallister talks about openness and honesty; however, when he is challenged about where the money should come from, he does not have an answer. Having an honest debate is not only about raising issues and questions but about suggesting some answers. Mr McCallister must explain how we are going to fund that item of expenditure.

Members cannot simply raise an issue and say that they want an honest debate about it. They must follow that through and suggest how it could be addressed. For one Member and his colleagues to pretend that someone is being dishonest and trying to pull the wool over other Members' eyes is a total and utter travesty of the true position. They speak about the need to face up to the hard issues. However, they are never specific about how to address those issues.

We never hear whether that money should come from the roads maintenance budget, the social housing

budget or the health budget. It will not come from the health budget, which accounts for 50% of the Northern Ireland Budget, because that is protected, so all the other budgets will have to be devastated. That position does not even take into account what proposals will come from Whitehall. Therefore, when Members talk about honesty, openness and transparency, they also need to be open, honest and truthful about the position instead of trying to accuse everyone else of doing what they are guilty of.

We must be honest about that fact today, as we come to the close of another financial debate on the Budget, which has been characterised by the same kind of arguments that we have heard so many times and which, despite being rebutted, are repeated over and over again.

Mr McCallister also said that Workplace 2010 had not been addressed, which is a fallacy: it was addressed as part of last year's Budget. The money that did not come through Workplace 2010 has already been put in place through careful management of the Budget. The last financial year has finished, and there is no overhang. That point has been repeated over and over again, but it does not seem to get through to the Member. He said that Workplace 2010 was not addressed, but it was addressed last year as part of the in-year monitoring process.

Mr McCallister spoke again of the need to reassess the Programme for Government, which is something that his own party leader, the Minister for Employment and Learning, rejected out of hand. He talked about people having their heads in the sand; what better example of a head-in-the-sand approach is there than saying that the health budget should be ring-fenced? That would decimate the budgets of all the other Departments. Is that what he is suggesting? If so, let him tell us how to pay for a ring-fencing of the health budget.

When Mr McCallister was challenged about the idea of an enterprise zone, instead of answering the question, he launched another attack on the Alliance Party, which I have no difficulty with. If we are going to have an open and honest debate, Members have to answer some questions instead of just posing them. That applies to all Members who raise issues in this area.

Tom Elliott brought up the roads maintenance budget, but he did not mention that capital investment in roads has increased by 77.5% since 2007-08. In addition, the current spend on roads is due to increase by 9.9% this year. It is easy to throw out statistics, but it is very hard to sustain an argument on the basis of isolated statistics that do not back up one's argument.

Mr O'Loan said that spending on maintenance was a boost to the economy in various areas such as roads and housing. I was glad to hear him talk about the need to spend on maintenance and housing, because

unfortunately there has been a diversion of resources away from that area. Mr O'Loan, Mr Attwood and other Members spoke of my commitment, and that of the Executive, to social housing and housing in general, and I am grateful for those comments.

I wish that Mr O'Loan knew of the efforts of some of us to try to ensure that there is a balanced approach to expenditure on housing and that there is not a diversion of a large proportion of funds from other budgets into just one aspect of housing provision. Although it is important that people receive renovation grants, external cyclical maintenance grants and kitchen and heating replacements, it is also important that the needs of tenants in Executive houses and other forms of social housing are taken into account. A balanced approach is needed, and we have been working very hard with the Social Development Minister and others to try to ensure that progress is made.

Although Mr O'Loan said that my approach lacked flexibility and imagination, his approach could be characterised as one of fantasy and invention. At times, Mr O'Loan and the SDLP have been willing to make suggestions and proposals about where money should be found. A recent SDLP paper stated that hundreds of millions of pounds could be found. However, its import and significance was reduced greatly on the discovery that its authors thought that we had spent £1.4 billion instead of the actual figure of between £1.6 billion and £1.7 billion. Therefore, there was a gap of around £250 million in the SDLP's figures to begin with, which somewhat dented the credibility of that paper.

6.30 pm

Stephen Farry made a measured and thoughtful contribution, in which he talked about the speedy interventions, particularly with regard to local government, that prove that devolution can make a difference. Many Members are also councillors and have first-hand knowledge of the difficulties that councils were and still are facing. They would have been in a much worse position had it not been for the interventions of the Executive and my Department. That proves that we have been flexible and responsive where we can, and it was illustrated again in the Executive's response to the economic downturn through the measures that they took in December.

Of course, Mr Farry could not let the occasion pass without referring to the cost of division; I know that that will be a recurring theme for him and his colleagues. It is easy to throw figures into the air, but an analysis of those proposals on the cost of division shows that some of the suggested savings just cannot be delivered. For example, the £300 million savings in education largely disappear once adjustments are made for differences in pupil numbers; £300 million is wiped



out immediately. It is easy to suggest changes, but the hard fact of the matter is that grappling with reality makes one realise that things are not as straightforward as some Members make out.

Mr Farry also mentioned the issue of the additional Barnett consequentials for 2009-2010 and put forward an argument, as he has done previously, about how those should be managed. Of course, Members will be aware that the Executive have already indicated their preference that the additional Barnett consequentials for 2009-2010 should offset the efficiency savings cut in 2010-11. My officials will continue to work with Departments over the summer to identify expenditure that can be accelerated from 2010-11.

Mr Hamilton dwelt at length on future cuts by Whitehall. Whether those cuts are made by a Labour Government or a Conservative one, we will have to address them. I note that Mr Attwood gave advice on how we should vote on various proposals that will be made in the House of Commons on wider expenditure issues. However, we will leave our decisions on how we vote as MPs on those proposals until they are presented to Parliament rather than announce our position to Mr Attwood in advance. I am sure that he will understand that.

Fra McCann talked about social housing, which is an issue that he has raised on many occasions. Like him, I believe that additional investment in social housing can have a beneficial effect, and, like him, I want to see investment in maintenance as well as in newbuild programmes, and I have been taking steps to try to make that happen. We should bear in mind that a reduction in the cost of land, building products and builders should help the Department for Social Development's newbuild programme in 2009-2010. There are signs in the economy of some increasing activity in house purchases in the mortgage sector. It is to be hoped that that will result in increased receipts.

Mr Ross talked about issues that affect east Antrim, in particular the Budget. I am sure that the new Minister of Finance and Personnel will have heard the concerns that were expressed about that constituency and will, no doubt, pay particular attention to them.

It is not possible to deal with all the issues, not least because it is difficult to keep track of them as the debate goes on. However, they were raised on previous occasions and have been addressed.

I thank the Chairperson and members of the Finance and Personnel Committee for what they have said about my tenure in office, and for the work that they have carried out in the year that I have been in office as Minister. The Committee has worked extremely constructively. It has never shied away from dealing with difficult issues or from challenging the Department,

and that is exactly what it should do. I thank each and every member for their work and their commitment.

I thank Simon Hamilton, the outgoing Deputy Chairperson, for all his work with the Chairperson, and wish him well as he takes over a Chairman's role in the Assembly. I also welcome Peter Weir as Deputy Chairperson of the Finance Committee, and wish him well. I genuinely thank all of the Members who spoke today for what they have said, some with greater feeling than others.

I think that it was Mr McNarry who said that, at times, we have political battles, and we will continue to have political debates of a strong and passionate nature. However, we should always remember that it is politics, and it is a matter of debate and discussion. It is far better that we have these arguments and debates in the democratically elected Assembly of Northern Ireland, rather than having our disputes and arguments worked out on the streets. We should always remember that the vast majority of people here are elected to serve the people they represent. They want to do that first and foremost, and to do the best for their constituents.

I hasten to add that some of the remarks verged, as I think Mr Weir said, on a eulogy at one's funeral. Despite the wishful thinking of some people, I have not gone away and I have no intention of going away, but I record my sincere thanks to all Members. I am very grateful and honoured to have had the opportunity to serve as Minister of Finance, and previously as Enterprise Minister, in the Northern Ireland Executive and Assembly.

**Some Members:** Hear, hear.

**Mr Deputy Speaker:** Before we proceed to the Question, I remind Members that the vote on the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

That the Budget (No. 2) Bill [NIA 8/08] do now pass.

## ASSEMBLY BUSINESS

**Mr S Wilson:** On a point of order, Mr Deputy Speaker. I would like a ruling on a decision made by the Minister of Education which, in effect, prevents Members of the House from carrying out their business. I had arranged a meeting with a senior official, along with some other Members, in Parliament Buildings today. The Minister of Education has now informed us that, true to her Stalinist style of control over her Department, she requires every meeting with an official to be authorised by her, and she has stopped that meeting from going ahead. Will you rule whether it is in keeping for the Minister to stop Members from doing their business in a legitimate way?

**Mr Deputy Speaker:** As I am sure you know, that is not a matter for this Assembly. It is not a point of order, but your point has been made.

**Mr K Robinson:** Further to that point of order, Mr Deputy Speaker. I came to this house some 10 years ago under the impression that I was here to represent the people of Northern Ireland in a devolved Government which would allow me to bring their concerns to the House. Like Mr Wilson and Mr Neeson, who was to join us, I have been prevented from bringing my constituents to speak to an official in the Department of Education because of the Minister's —

**Mr Deputy Speaker:** I must interrupt you; that is not a point of order. It is not a matter for this House.

## EXECUTIVE COMMITTEE BUSINESS

### **Draft Lands Tribunal (Salaries) Order (Northern Ireland) 2009**

**Mr Deputy Speaker:** I call Mr Mitchel McLaughlin.

**Mr McLaughlin:** Thank you very much, a LeasCheann Comhairle. The Committee for Finance and Personnel —

**Mr Deputy Speaker:** I am sorry, I called the wrong name. I call the Minister of Finance and Personnel.

**The Minister of Finance and Personnel (Mr Dodds):** I beg to move

That the draft Lands Tribunal (Salaries) Order (Northern Ireland) 2009 be approved.

I thought that, after my last speech, people thought that I had gone already. I thank Members who have been hanging around all day especially for this item of business, because I know that there is a big interest in it.

The Order provides, at article 3, increases in the annual salaries payable to the president and member of the Lands Tribunal for Northern Ireland with retrospective effect from April 1 2009. Following consideration of recommendations made in the thirty-first report of the review body on senior salaries, the Prime Minister confirmed in a written ministerial statement on March 31 that the Government had decided to increase judicial salaries by 1.5%.

The Lands Tribunal is a court of record established under the Lands Tribunal and Compensation Act (Northern Ireland) 1964. I have a list of its varied functions, but I am sure that Members will not be too sad if I do not go into detail about them. However, Members are aware of the important and significant functions that the Lands Tribunal carries out.

The tribunal consists of a president and one member, both of whom are appointed by the Lord Chancellor. Under the 1964 Act, the Department of Finance and Personnel has responsibility for determining their remuneration and appointing staff to assist the tribunal in performing its functions. We also have various rule-making responsibilities. It is proposed that the Order will come into operation tomorrow, and I commend it to the Assembly.

**Mr Deputy Speaker:** Apologies once again, Minister. I now call Mr Mitchel McLaughlin.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a LeasCheann Comhairle. People usually get 15 minutes in the sun, but that did not happen on this occasion.

The Committee for Finance and Personnel considered the proposals for this subordinate legislation at its meeting on April 29. Members subsequently sought confirmation

on the nature of the appointments and clarification on the proposed salary increases. The Minister just set out the details of those, so I will not repeat them.

The Committee received from the Department clarification on the issues about which it was concerned. The president of the Lands Tribunal receives a salary as a Lord Justice of Appeal; he does not receive additional remuneration for work undertaken for the tribunal. The Northern Ireland Court Service is, however, reimbursed by the Department on a pro rata basis. It was also confirmed that the member of the tribunal works for it full time.

Having considered the additional information that was supplied by the Department of Finance and Personnel, and, subsequently, the Order and accompanying report from the Assembly's examiner of statutory rules, the Committee for Finance and Personnel agreed unanimously on June 24 to recommend to the Assembly that the Lands Tribunal (Salaries) Order (Northern Ireland) 2009 be affirmed. Therefore, I support the motion that seeks the Assembly's endorsement of the provisions of the Order.

*Question put and agreed to.*

*Resolved:*

That the draft Lands Tribunal (Salaries) Order (Northern Ireland) 2009 be approved.

*Adjourned at 6.43 pm.*



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# NORTHERN IRELAND ASSEMBLY

Tuesday 7 July 2009

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

*Members observed two minutes' silence.*

## SPEAKER'S BUSINESS

### Ministerial Appointments

**Mr Speaker:** Having been given notice by the First Minister and the deputy First Minister, I have summoned the Assembly, under Standing Order 11, to meet today for the purpose of a ministerial statement on public expenditure, the 2009-2010 June monitoring and provisional out-turn 2008-09 by the Minister of Finance and Personnel.

Before we move to the statement, I will make a number of announcements. I was notified that the resignations of Mr Nigel Dodds as Minister of Finance and Personnel, Mr Gregory Campbell as Minister of Culture, Arts and Leisure, and Mr Sammy Wilson as Minister of the Environment were tendered to the First Minister and the deputy First Minister in accordance with section 18(9)(a) of the Northern Ireland Act 1998. Those resignations took effect on 30 June 2009.

In accordance with section 18(10) of the Northern Ireland Act 1998, the nominating officer of the Democratic Unionist Party, the Rt Hon Peter Robinson, made the following nominations: Mr Sammy Wilson to hold the office of Minister of Finance and Personnel; Mr Nelson McCausland to hold the office of Minister of Culture, Arts and Leisure; and Mr Edwin Poots to hold the office of Minister of the Environment.

Mr Wilson, Mr McCausland and Mr Poots have affirmed the terms of the Pledge of Office, as set out in schedule 4 to the Northern Ireland Act 1998. The affirmations were witnessed by me, as Speaker, and by Mr Trevor Reaney, the Clerk to the Assembly/Director General, in my office on 30 June 2009.

Therefore, I confirm that Mr Wilson has taken up office as Minister of Finance and Personnel, Mr McCausland has taken up office as Minister of Culture, Arts and Leisure, and Mr Poots has taken up office as Minister of the Environment.

The First Minister and the deputy First Minister notified me that they have appointed Mr Robin Newton to replace the Rt Hon Jeffrey Donaldson as a junior Minister in the Office of the First Minister and deputy First Minister. Mr Newton has affirmed the terms of the Pledge of Office as set out in schedule 4 to the Northern Ireland Act 1998. The affirmation was witnessed by me, as Speaker, and by Mr Trevor Reaney, the Clerk to the Assembly/Director General, in my office on 1 July 2009. Mr Newton has taken up office as a junior Minister.

## EXECUTIVE COMMITTEE BUSINESS

### Presumption of Death Bill

#### Royal Assent

**Mr Speaker:** The Presumption of Death Bill has received Royal Assent. The Presumption of Death Act (Northern Ireland) 2009 became law on 2 July 2009.

## MINISTERIAL STATEMENT

### Public Expenditure: 2009-2010 June Monitoring and Provisional Out-turn 2008-2009

**Mr Speaker:** I now move to the business to be transacted today in accordance with the notice that was given to me under Standing Order 11. I call the Minister of Finance and Personnel to make a statement on the June monitoring for 2009-2010 and the provisional out-turn for 2008-09.

**The Minister of Finance and Personnel (Mr S Wilson):** I thought that I would make myself popular in my new post by asking everybody to come back from their holidays. It is nice to see that so many Members have not yet left the country and have been able to attend this afternoon. With your permission, Mr Speaker, I will make a statement on Northern Ireland Departments' spending performance of last year and on the Executive's decisions on the management of the public expenditure position for the current financial year as part of the June monitoring round.

I will begin by addressing the provisional out-turn for 2008-09. During 2008-09, concerns were expressed that the Executive faced a substantial funding gap, with the result that there would be a shortfall in the level of public spending against the plans set out in the Budget. However, on the basis of the provisional out-turn position reported to my Department, I am pleased to inform Members that the Executive have delivered record levels of spending on our public services in 2008-09; that is, £8,600 million in current expenditure and £1,500 million in net capital investment. The latter figure is an increase of 32% on the equivalent figure for 2007-08, while the overall spend by Northern Ireland Departments has exceeded £10,000 million for the first time in our history of departmental expenditure limit spending.

In addition, despite the shortfall in capital receipts, Northern Ireland Departments were still able to take forward £1,700 million in gross capital investment — the net capital investment plus capital receipts — in 2008-09, which is equivalent to a 20·1% increase on the previous year. That strong performance is a result of the proactive decisions that the Department of Finance and Personnel (DFP) made in 2008-09 and of the significant reduction in end-year underspend that Departments declared. The overall level of underspend by Northern Ireland Departments was £43·8 million in 2008-09, which equates to a rate of 0·5% compared with 2·1% in the previous year. There are further details of those figures in the statement.

The position on capital expenditure is somewhat distorted, given that the Department for Regional

Development incurred a significant overspend because of additional costs resulting from the reclassification of Northern Ireland Water, and the Department of Agriculture and Rural Development had an overspend on the farm nutrient management scheme. The Executive were aware of the potential for further costs to be incurred in both those areas, and that was reflected in the headroom that was incorporated into the spring Supplementary Estimates for the two relevant Departments. As a result, Northern Ireland Departments have declared a total overspend of £16.6 million in capital investment. However, the flexibility for the Executive to switch Budget cover from resource to capital means that the capital expenditure overspend is offset by the current expenditure underspend.

The overall outcome is a total underspend of only £27.2 million, or 0.3%, of planned spend. In other words, we spent 99.7% of the Budget in 2008-09. That is a vast improvement on the performance of local Departments under direct rule. For example, in 2005-06, almost £380 million, or 4.4%, of the total resources was left unspent.

In the current challenging economic situation, the best way in which the Executive can provide support to local families and businesses is to deliver against the plans that are set out in the Budget and the Programme for Government. Although the level of public spending is only one piece of the jigsaw, the performance of Departments last year on that measure provides clear evidence that the Executive are making a real difference to the lives of people in Northern Ireland.

Further confirmation comes from the end-year delivery report for the Programme for Government for the period 1 April 2008 to 31 March 2009, which was the subject of a written statement by the First Minister and deputy First Minister on 30 June 2009, with details placed in the Assembly Library. That assessment illustrates that progress on the vast majority of targets was broadly on track or better. A major risk to delivery was identified in only five of the 66 key goals and commitments, and in 27 of the 331 public service agreements.

However, despite the strong overall spending performance, it has been disappointing that some Departments have breached the public expenditure limits set by the Executive. Although there are mitigating circumstances in some cases, it is, nevertheless, essential that accounting officers and Ministers recognise the importance of those controls and the requirement that they live within them. In the coming months, my officials will work with Departments to gain a full understanding of the reasons for such breaches and of the remedial actions that will need to be put in place to avoid a reoccurrence.

The 2008-09 provisional out-turn position also has implications for our future management of public expenditure, because the improved levels of underspend in Departments clearly indicate that we must reduce our use of overcommitment as a tool for planning and managing public expenditure.

That brings me to the Executive's decisions on the June monitoring round, which is the first monitoring round of the 2009-2010 financial year. The role and purpose of the in-year monitoring process is to allow the Executive to make optimal use of the resources at our disposal by reviewing departmental expenditure plans in light of the most recent information available. The opening position for 2009-2010 reflects the fact that the plans that are set out in the 2008-2011 Budget were predicated on an overcommitment of £80 million in respect of current expenditure and zero for capital investment.

Since the Budget was agreed, a number of changes in the level of resources that are available to the Executive have been made, including Barnett allocations from the 2008 UK Budget and pre-Budget report; shortfalls in central receipts as a result of the economic downturn in relation to the work of the capital assets realisation team; and the reduced requirements that were declared as part of the strategic stocktake. In addition, as part of the first monitoring round of the year, it was necessary to confirm the Budget cover for the previous spending commitments into which the Executive entered before any spending bids that were submitted by Departments could be considered.

*12.15 pm*

The most significant spending commitment for 2009-2010 arises from the Executive's decision in November 2008 to defer the introduction of domestic water charges for a further year. The resulting loss of income has led to a pressure of some £170 million for the Department for Regional Development. However, that will be offset by the fact that the planned reduction in the regional rates to mitigate the impact of water charging will no longer be required.

There are a number of other previous spending commitments, including the reduction in regional rates income as a result of the decision to freeze non-domestic rates in cash terms; the return of funding to Departments in respect of proactive slippage during the 2008-09 December monitoring round; the Executive's agreement in the Budget 2008-2011 that the costs of funding shared services for all Departments would be made available as part of the in-year monitoring process; funding for integrated development fund projects that was previously committed in principle, which includes education initiatives in west Belfast and the greater Shankill area and the Centre of Excellence in Intelligent Systems projects in the north-west; and,

finally, the funding requirement to meet the running costs of the Northern Ireland Assembly.

Overall, as a consequence of decisions that were previously taken by the Executive, £123 million in current expenditure allocations and £91.5 million of capital investment have been made to Departments as part of the June monitoring round.

Departments have declared reduced requirements of £18.7 million in respect of current expenditure and £20.2 million in respect of capital investment as part of the June monitoring round, which are over and above those that have already been declared in the strategic stocktake and are set out in table B, which is attached to the printed version of my statement.

The Executive have allowed Departments to move resources across spending areas where the movement reflects a proactive management decision to enable Departments to manage emerging pressures within their existing allocations. The most significant of those relates to the significant transfer of funding that I agreed with the Minister for Social Development to allow her Department to fully deliver in 2009 against the public service agreement target for new social housing units.

In their June monitoring returns, Departments identified £187 million of current expenditure pressures. In respect of capital investment, Departments have submitted bids of £206.5 million, with the majority of those pressures arising in the Department for Regional Development and the Department for Social Development. Details of all bids that have been submitted by Departments are set out in table C. Those bids for additional resources need to be seen in the context of improved spending performance by Departments in 2008-09, which means that it is necessary to significantly reduce the level of overcommitment with which we conclude each monitoring round, compared with the approach that was adopted in previous years.

In light of the relatively small amounts that have been declared by Departments as reduced requirements, the overall financial position meant that the Executive were, unfortunately, not in a position to make further allocations at present, over and above the £215 million that has been made available for existing commitments. The one exception relates to social housing, for which the Executive agreed a £20 million capital allocation. That will provide immediate further assistance in the area with the dual benefit of allowing necessary maintenance work to proceed while providing important support to the construction sector in these difficult times.

On the basis of decisions that have been taken as part of the June monitoring round, the Executive will conclude the round with an overcommitment of £43.2 million in current expenditure and £70.4 million in capital investment, and that will need to be managed

downwards in future rounds. The level of reduced requirements that was surrendered by Departments in previous years indicates that that is a sustainable position at present.

It should be noted that, although lower levels of underspending on the part of Departments may curtail our ability to make additional allocations, it means that financial management is improving and that Departments are delivering on planned programmes. That is, of course, a positive achievement in these difficult times. I therefore commend the June monitoring position and the provisional out-turn 2008-09 to the Assembly.

**The Chairperson of the Committee for Finance and Personnel (Mr McLaughlin):** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister, and I congratulate him on his appointment. Tá fáilte romhat. I thank him for the briefing that I received on this morning's statement. His remarks on the economic downturn at least indicate agreement on a change in the economy's climate. However, it is clear that we have much work to do.

I also commend the statement and the performance on the underspend that it reflects. That was not just an achievement of the targets that were set out in the Programme for Government; in fact, those targets were exceeded. It must be acknowledged that, given the history, that took a considerable effort across all Departments.

During evidence sessions on the Budget stocktake, departmental officials informed the Committee of ongoing negotiations with Treasury on end-year flexibility to access the £358 million that Departments failed to spend in 2007-08 and that has been returned to the Treasury. Will the Minister inform the Assembly of the outcome of those negotiations? When will the position be known about access to the Executive's unspent moneys, which was announced today? The greatly improved performance still leaves an underspend of almost £44 million.

Finally, will the Minister comment on the overall target for efficiency achievements? The Committee is aware of the potential difficulties that are developing for Departments in achieving efficiencies in 2009-2010, given the economic downturn. The Committee requested the outcome of DFP's analysis of individual Departments' efficiency plans earlier in the year. That has not yet been received, but I hope that it will be soon. When will the analysis be available to the Committee and the Assembly? What role will DFP play in ensuring the achievement of efficiency targets in the current year? Most significantly, when will more information be available to the Assembly and the Departments on the additional efficiencies for 2010-11, which were threatened in the Chancellor's Budget statement?



**The Minister of Finance and Personnel:** I thank the Chairperson for his remarks, and I look forward to working with him and the Committee over the next number of years. He referred to my views on climate change. Not only is the climate not heating up, but the economy has cooled a little. That has caused all kinds of issues for Northern Ireland.

The report on the review of departmental efficiencies will be coming to me. I know that there has been a delay in the Committee's receiving that report, but hopefully it should be available to the Committee shortly after the Assembly returns in the autumn.

The Chairperson also mentioned end-year flexibility. Discussions are ongoing with the Treasury about access to that flexibility. I hope that I will receive some indication from the Treasury about that, and, as soon as I have, which will be in the autumn, it will be communicated to the Committee. I have only just been informed of the position for 2009-2010 on the Budget and the efficiency savings. I will have to look at it in detail to see what the implications are for Departments before returning to the Committee on that issue after the summer recess.

**Mr I McCrea:** I welcome the Minister's statement. He will be aware of my concerns about the Minister for Social Development's decision to stop funding housing replacement grants and of the personal circumstances of one of my constituents, who was close to taking her life because of that decision. Will housing replacement grants be reintroduced now that the Minister of Finance and Personnel has given a financial commitment to the Minister for Social Development? Will he confirm that the decision to make that commitment was based on the inability of the Minister for Social Development to use her money wisely and that the Department of Finance and Personnel should not have been blamed for that problem?

**The Minister of Finance and Personnel:** In my statement, I recognised that we have given considerable attention to the housing budget and that we appreciate its importance. I also recognised that many Members have raised housing issues, whether they have been about grant allocations or the social housing programme. The Department for Social Development (DSD) has had significant pressures, which is one reason that we considered it for the extra money. A high proportion of the newbuild programme and the social housing programme was dependent on the sale of assets, which, because of people's difficulties in getting mortgages, has hit the Department's budget significantly. As a result, I have made £20 million in capital available to the Minister for Social Development, which should enable her to make moneys available for grant uptake. In return, in her current spending, she is looking to move money to housing maintenance and to Egan projects.

There is a double dint there, as it were, in the form of the additional capital money and because money in the current departmental budget is being moved for housing maintenance. That will be welcome news to tenants, to people who rely on funding from the Housing Executive for grants or housing maintenance, and, of course, to numerous owners of small building firms in Northern Ireland. The multiplier effect of that on local economies will be very significant.

**Mr McNarry:** We all know why we are here, which is that papers could not be presented on time previously. I am sure that the new Minister will have noted that and will ensure that it will not happen again. I welcome him warmly; one hopes that he has better luck in identifying holes in his balance sheet than he has had heretofore in finding evidence of a hole in the ozone layer.

Given that the asset sales board is a main plank of the United Kingdom Government's autumn financial strategy, will the Minister clarify the current status of any potential receipts, particularly from assets on property sales, given that those are not included in the June monitoring round? What is the current in-year situation on the level of income from anticipated receipts?

**The Minister of Finance and Personnel:** I know that this answer has been given before, but it bears repetition. As I said, I appreciate that so many Members have come back from their holidays to hear me speak on this issue. The monitoring round could not be presented before the end of the previous session because of the Member's party. That is why the Assembly was recalled. The Member's own Ministers would not agree — *[Interruption.]*

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

**Mr Speaker:** Order. There are no points of order during a statement. I am happy to take a point of order after the statement.

12.30 pm

**The Minister of Finance and Personnel:** The Member appears to know as much about the rules of this House as he does about the Budget.

Let me make it clear: this statement was not presented before the end of the last Assembly session because the two Ulster Unionist Party Ministers would not agree to the paper, and, indeed, asked for extra time to examine it. *[Interruption.]*

**Mr Speaker:** Order, order.

**The Minister of Finance and Personnel:** Of course, they were in exactly the same position as all other Ministers. My predecessor agreed to allow Ministers extra time to consider the paper, yet now we are criticised for that. The Ulster Unionists cannot have it both ways. If allowing extra time to read the

paper creates a delay, so be it. I know that the Ulster Unionist Party does not like that answer.

I am sure that we will hear more in the debate about holes in the balance sheet, but let me remind Members what happened: we set out a programme for spending of which we spent 99·7%. We invested £1,700 million in capital in the Northern Ireland economy, which means jobs in the construction industry. If that is a hole in the balance sheet, I do not know where the Member is coming from. We should be celebrating success, not looking for spurious criticism.

Mr McNarry asked about the realisation of capital assets. The Member will know — I made it clear in the statement — that we are in difficult economic times. This is probably not the best time to sell capital assets. I know that the Ulster Unionist Party likes to sell Northern Ireland short, but let us not sell it short on capital assets, too. *[Interruption.]* I do not know whether that was someone choking, Mr Speaker.

We will sell assets to realise capital when market conditions are most appropriate.

**Some Members:** Oh.

**The Minister of Finance and Personnel:** I hear “Ohs” from the Ulster Unionist Party. Would we want it any other way? Even though it has been difficult to raise the full value of capital assets, we had record capital investment last year. If we want to retain those levels of investment, we will look for opportunities to realise capital assets.

I will answer the Member’s question about assets, and I hope that I have the figures right. We had hoped to obtain more than £400 million from the release of capital assets; however, as a result of the economic position, the current market value would be less than half of that. Therefore, we will have to choose our time to realise the money from such assets, and that will have implications.

**Mr O’Loan:** I thank the Minister for his statement and wish him well in office. The Assembly wants to know whether there will be a new approach from the Minister to deal with the economy, construction, housing and unemployment. The handling of this monitoring round has been a debacle. There was an attempt to bypass the Assembly. The previous Minister of Finance and Personnel had to be forced to allow this statement to be presented to the Assembly, and I welcome the new Minister here today.

The former Minister put his faith in monitoring rounds when a fundamental revision of the Budget was needed.

I welcome the £20 million that has been put into housing maintenance. Will the Minister commit to following the lead that he has started and to revising the Budget substantially to invest in the areas that will have the most rapid and most effective economic benefits?

**The Minister of Finance and Personnel:** Mr Speaker, do I look like someone who has been forced to come here this afternoon? I am enjoying the opportunity to make a statement. I thought that I would not get my first outing as Minister of Finance and Personnel until September. I assure the Member that I have not been dragged into the Chamber screaming or shouting. I welcome the fact that we have had the opportunity to come here this afternoon. I know that the Members opposite thought that they would have to get 30 signatures to enable the plenary sitting to take place. However, that was not necessary, because it was volunteered to have the meeting. Of course I believe that the issues should be subject to scrutiny.

The SDLP has long been pleading for a review and almost a new budgetary process. Indeed, it has put forward its proposals for what should be included in that budgetary process. The odd thing is that, when I look at it, the new approach would have enabled us to have a radical re-examination of the Budget. The full sum of the SDLP’s spending proposals would have been to reallocate £220 million in 2009-2010 and another £187 million next year. Mr Speaker, I know that you like answers to be kept short, but I would love to go through all the issues and point out the ways in which the SDLP said that it would raise that money. Members would find that it would be substantially short of £220 million or £187 million — very far short. Indeed, the SDLP would be taking money away from sources that are important for investment in the economy and for improving the infrastructure of the economy, which is the very thing that it wants to do.

Let us look at what happens. Somehow or other there is a myth that we stuck the Budget in concrete after 2008 and that there has been no change, and, therefore, as economic situations changed, we remained almost fossilised in our budgetary process. However, a look at the in-year monitoring process over the past two years, which has been much criticised by the SDLP, shows that it has led to a reallocation not of £220 million but £800 million. Therefore, the in-year monitoring rounds have enabled us to redirect resources around Departments and around the system to respond to the very pressures that the Member spoke about. Before we go down the route of saying that we need a new Budget, we must ensure that we have certainty and flexibility, and a three-year budgetary process with in-year monitoring rounds provides both.

**Dr Farry:** I welcome the Minister to the Assembly. When looking through the June monitoring bids, it is remarkable to note how many of them do not relate to the economy. However, the Minister said that we still have a cold in our economy.

What has happened to the Barnett consequential of some £60 million that arose out of the April 2009 UK Budget? The Minister mentioned only the 2008 Budget.

Will he tell us whether that money has actually arrived with us and, if not, why not? If it has, will he explain where that money has gone and whether it has been used to simply offset the potential efficiency savings that we have been asked to provide? If that is the case, does the Minister agree that that shows a total lack of imagination by the Executive and a failure to follow the lead of the UK Government in further investments to help the economy, whether that is through energy efficiency, renewable energy or social housing?

**The Minister of Finance and Personnel:** Perhaps the Member asked that question out of ignorance, or perhaps he is trying to score a cheap political point. A total of £69 million is available as a result of Barnett consequential, and we have sought to use it imaginatively. Looking ahead, we know that there are significant pressures on the Budget for 2010-11 as a result of efficiency savings of £122 million that we have to find.

We are aware of those pressures and have looked for one-off expenditures that are due to occur in 2010-11 that would put unbearable pressure on next year's Budget. We are seeking to bring those forward, and we are talking to Departments. The money from the Barnett consequential will be used to relieve pressures and to anticipate the pressures that we know will arise next year because of the efficiency savings that Departments will have to absorb. I cannot give the Member an answer regarding particular projects at the moment. I hope that the Committee will have sight of some of the projects when we have finished talking to Departments.

I reject the accusation that we have not sought to use the money imaginatively or to plan ahead. Indeed, we may live to regret it if we were to follow the Member's suggestion and spend the money in a knee-jerk way on propositions that appear attractive at the moment. We have sought to look ahead and ascertain how the money can be used imaginatively. Members will be notified when we know what the money will be spent on.

**The Chairperson of the Committee for Social Development (Mr Hamilton):** I welcome the Minister to the Chamber in his first appearance as the Minister of Finance and Personnel. Although he has been in post for only a couple of days, has he given any consideration to or is his Department preparing for some of the public expenditure cuts that are expected in 2011-12 and beyond? Those are cuts that the Labour Party may introduce and that the Conservative Party is likely to introduce.

**Mr Kennedy:** That is a planted question.

**The Minister of Finance and Personnel:** I assure Members that I never receive planted questions. I prefer surprises to planted questions.

We have to look ahead, but it is very difficult to anticipate exactly what will happen after 2011. We

know that there will be reductions in real spending, although we expect that there will be marginal increases in cash terms. Nevertheless, there will be challenges for Departments. We thought that the current period would be much tougher than it has been. However, we need to look ahead, and we know, for example, that there will be big reductions in capital spending.

We should not simply consider the issue as a budgetary exercise. We should consider what we can do as an Executive and a Department to shape the entire economy. That is one reason why we are seeking to grow the private sector of the economy. We expect that there will be consequences for public sector finances. The real investment, which peaked this year, may be affected by the decisions that the Labour Government or any future Administration make to deal with the UK's huge debts.

**Ms Ní Chuilín:** Go raibh maith agat, a Cheann Comhairle. It is good to be here voluntarily and that the 30 signatures of Sinn Féin and the Alliance Party were not needed. The Ulster Unionist Party did not provide signatures, but it does not let that get in the way of a good sound bite.

**Mr Kennedy:** Partners in government.

**Ms Ní Chuilín:** Happy birthday for yesterday, Danny.

It would be worthwhile for the Minister to repeat his assurances regarding the budget for housing maintenance, repair, adaptation and contractual arrangements, particularly for tenants who are in dire need, such as those to whom Ian McCrea referred. The Minister for Social Development is buying off-the-shelf housing, and, in one area, more than £1 million was spent on six homes. Is the Minister content that that represents value for money?

12.45 pm

**The Minister of Finance and Personnel:** I shall take the Member's second question first. There is an obligation on Departments to seek value for money, as in straitened economic circumstances the Executive want all Departments to receive the maximum amount of money. I am not aware of the specific issue to which the Member referred; however, if she believes that we are not receiving value for money in purchasing social housing, she should take the matter up with the Minister for Social Development.

In relation to the provision of the extra £20 million to the Department for Social Development, I have made it clear that that is capital money. The maintenance and repair of houses is taken from the current expenditure element of that Department's budget. However, the extra capital money should ease some of the pressures on the Minister, and it has been agreed that she will find money in her Department's budget to pay for



housing maintenance and the Egan contracts. There has been significant lobbying in those areas.

DSD has had particular problems with its budget due to the fact that a high proportion of its capital spending was to be garnered from capital receipts. As I said in an earlier answer, those receipts have not been realised to the extent that was hoped, and the Executive decided to release additional capital funding to that Department, which should, in turn, release money for grants and adaptations. The Member stressed the importance of such expenditure, and, as constituency representatives, many Members regularly receive representations on that issue.

**The Deputy Chairperson of the Committee for Social Development (Mr Hilditch):** On behalf of the Committee, I warmly welcome the Minister's announcement of the additional capital expenditure allocation of £20 million; it will bring welcome support to the construction industry at this difficult time. The Minister for Social Development left very quickly after the statement was made; I hope that she has gone to begin work on using that money. However, most Members will accept that the Department's budget is limited and that the Minister has limited room for manoeuvre.

The Department for Social Development's June monitoring round submission referred to capital projects that were expected to be delayed. What is the Minister's view on the future allocation of funding from delayed DSD capital programmes, such as the Royal Exchange project? Furthermore, will the funds from future monitoring rounds be allocated to social housing developments or Housing Executive refurbishment work?

**The Minister of Finance and Personnel:** How moneys are managed in Departments is the responsibility of each individual Minister.

The fact that the Royal Exchange project will not be going ahead will, I believe, lead to a significant release of resources. I should have the exact figure, but I cannot remember it off the top of my head. A significant amount of money should become available later. That is why — perhaps this will answer Mr O'Loan's question — it is important to have regular monitoring rounds so that when pressures reduce and money becomes available it can be reallocated either in the Department's budget or in the overall Budget.

**Mr Gardiner:** Like other Members, I congratulate the Minister on his new post and look forward to co-operating with him.

I am sure that the Minister is aware that the swine flu pandemic is unfortunately beginning to take hold in Northern Ireland and that there will be a cost to that. Will the Minister confirm that the Department of Health will be provided with the funds that it needs to

meet that pandemic so that we can deal with it without putting pressure on other areas of the Health Service?

**The Minister of Finance and Personnel:** I wish that I had a magic wand. However, there may have been and could still be an opportunity to do exactly what the Member asks. Indeed, that is my objective, because it is a serious issue and we will have to fund it when the pressures come.

My objective is to fund the response to swine flu without hurting other Departments. However, that has not been helped by the crass way in which the Minister of Health, Social Services and Public Safety, who has become the maverick Minister of this Assembly and Executive, has dealt with the issue.

I would love, on some occasion, to give Members an economics lesson on opportunity cost. The concept is that resources that are used for one purpose are not available for another, unless a way can be found to obtain additional resources. The Welsh and Scottish Administrations made that their aim, as did the Northern Ireland Administration. That was until the Minister of Health, Social Services and Public Safety decided to go on a solo run. Although he has spent only about £10 million in connection with the outbreak, he demands that £52 million be made available immediately. The only way in which that money could be made available immediately is if it were taken from other Departments' budgets. If that were to happen, what leverage would remain to us when we went to the Treasury?

The Scottish and Welsh Administrations did not say that they could find the money from other departmental budgets. Rather, they said that swine flu was a national emergency and a response should, therefore, be funded nationally. However, the Minister of Health, Social Services and Public Safety states that Northern Ireland should bear the burden. That would result in exactly the outcome that the Member who asked the question does not want. Swine flu is a national emergency, and the Assembly must have leverage with the Treasury.

My predecessor had contacted the Treasury about the issue, and I intend to join Ministers from the other Administrations in pleading for additional resources. However, my plea will not be helped by the headline-grabbing tactics of the Minister of Health, Social Services and Public Safety — *[Interruption.]*

**Mr Speaker:** Order.

**The Minister of Finance and Personnel:** Furthermore, let me make something else clear. Mr Gardiner talked about value for money. The Minister of Health, Social Services and Public Safety presented a budget for dealing with swine flu to my Department. That budget demonstrates neither innovation nor any attempt to minimise cost. For example, the Minister of Health, Social Services and Public Safety has asked for



almost £20 million for the administering of injections, which equates to approximately £10 for each person and a total cost of almost £60 million. How come Scotland has three times the population but has calculated its total cost at £100 million? The answer is that the Scottish Minister has, at least, sought to be inventive and may use school nurses or factory doctors to administer the drug. That would cost nothing. What does our Minister do? He simply assumes that doctors will administer all the drugs, they will be paid about a tenner a time for doing so and that that cost must, therefore, be included in his budget.

Money will have to be spent on tackling swine flu, but we must first find ways to obtain extra resources. It is a national issue, so let us tap into national resources. If money has to be spent, let us ensure that we get value for money, as opposed to working from the back of an envelope, as the Minister of Health, Social Services and Public Safety appears to be doing.

**Some Members:** Hear, hear.

**Mr Speaker:** Order.

**Mr Attwood:** I too welcome the Minister to his new portfolio. His statement was a curate's egg, in that it was good in parts. It was good that he released extra money to DSD, and his reply to Mr Ian McCrea's question was equally good. Mr McCrea tried to beat up on the Minister for Social Development, but the Minister's response was to acknowledge that her budget is facing difficulties because it is highly dependent on the sale of assets. I hope that the Minister will build on that approach.

However, the Minister's use of language such as "celebrating the investment" was bad. The word "celebrating" will sit uneasily with many people's experiences over the past two years. As the incoming Minister of Finance and Personnel, will he send out two messages of reassurance to public sector workers? I refer not to those who receive large bonuses but to the many others. Will the Minister reassure the House that he will resist any future efforts to target the pensions of public sector workers as part of a Budget response? Can the Minister reassure public sector workers about the progress that has been made towards resolving the equal pay issue?

**The Minister of Finance and Personnel:** I will not be a pushover when people come looking for money; they will have to give a very good reason for looking for it, because we must ensure that we make the best use of resources. Additional funding was given to the Department for Social Development because there was a compelling case for it. If a compelling case is made and money is available — the latter being an important caveat — I will look at it objectively and will do what I can.

As the Member knows, the equal pay issue is ongoing. Negotiations are taking place with the Northern Ireland Public Service Alliance (NIPSA). There are many complexities, with issues for the trade unions as well as for the Administration. There is a commitment to dealing with the issue, as given by the previous Minister and by his predecessor, who made the commitment after direct rule Ministers had avoided the issue. However, until all the issues that stand to be resolved are dealt with — it is impossible for me to say when that will be achieved — all that I can say is that we are committed to resolving the equal pay issue. The trade unions must co-operate equally with my Department in seeking a resolution. It should not be forgotten that it is a two-way issue: the unions and the Department have views, and we have to deal with issues that affect them both.

As far as the pensions of public sector workers are concerned, I am not sure to what the Member was alluding. All that I can say is that there are difficult times ahead; I have mentioned those already. We are subject to decisions that are made at Westminster, and we will seek to alleviate the impact of those as best we can by negotiating with the Treasury.

The investment of £1,700 million that the Member referred to is the highest in the history of public spending in Northern Ireland. It has come at a time when the construction industry is asking for it to be spent. It has an immense impact. Do not forget, it is not investment in abstract things. Within a couple of miles of Parliament Buildings, at the Ulster Hospital and the Royal Victoria Hospital, at Titanic Quarter, at the Orangefield/Grosvenor complex, at Ashfield Girls' High School and Ashfield Boys' High School, we are spending money on schools, hospitals and tourist projects. All of that spending will have an impact on the lives of people in Northern Ireland as well as on the jobs that are created in the construction phase. I consider that to be something to celebrate and, therefore, I do not think that I used the word ill-advisedly.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement, in which he referred to the flexibility that the Executive have given to Departments on capital and resource spend. I hope that that indicates that the Executive are trying to spend public money innovatively.

Is the Minister aware that the credit unions organisation has approached several Ministers to outline its proposals for investing up to £100 million in the social housing programme, which, as he said, is a very important programme? Will he champion those proposals with the Executive? They represent one innovative way of providing investment in the social housing programme, something that will change the quality of life for a lot of people.

**The Minister of Finance and Personnel:** I am not aware of the proposals to which the Member referred. If credit unions have innovative ways of spending money on social housing, I would expect their first port of call to be with the Minister for Social Development, who, I know, is keen to increase the number of social housing units that are built in Northern Ireland.

1.00 pm

If there are ways of attracting new finance to social housing, depending, of course, on the implications for the overall Budget, we want to look at them. Given that we are in straitened economic circumstances, we would be mad not to consider new ways to attract money to the economy that will complement the money that the Executive are spending. However, I am not aware of the details of the project to which the Member referred, and I do not know whether it has been discussed with the Minister for Social Development.

**The Chairperson of the Committee for Education (Mr Storey):** I, too, welcome the Minister to his new post; we wish him well in the weeks and months ahead.

Obviously, the Minister's statement has been made in the light of the difficult economic situation. Nevertheless, approximately £253 million of capital funding is available for schools and youth services. Based on the spend to date, the legal challenge to the major works framework and the Department of Education's switch from conventional, single-procurement school builds, is the Minister confident that that money will be spent in this financial year? The Committee for Education has received representation from the construction industry about delays and the lack of information about new capital projects. Secondly, has the Department of Education breached the public expenditure limits to which the Minister referred in his statement?

**The Minister of Finance and Personnel:** The answer to the Member's second question is no. The answer to the first question is that, so far, I am unaware of and the Minister of Education did not highlight in the June monitoring round any likely underspend in her capital budget. In the past, the Department of Education has been guilty of that on a number of occasions. If underspend is likely, Ministers have been instructed to bring the matter to the Executive as quickly as possible, so that we can reallocate the money. Of course, the September monitoring round will provide an opportunity to consider that matter. So far, although I am aware of the legal challenge, I am not aware that it is likely to lead to underspend on capital projects this year. During the last Budget round, it was highlighted to Ministers that significant underspend in their Department's budget would have

consequences, and the Minister of Education is well aware of that.

**The Chairperson of the Committee for Culture, Arts and Leisure (Mr McElduff):** Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Aire.

The Department of Culture, Arts and Leisure surrendered £2 million to the Department of Finance and Personnel, money that was set aside for the original multi-sports stadium. Will the Minister give an assurance that the Department of Culture, Arts and Leisure (DCAL) will have a strong call on that money for future sports projects, not least improving safety at sports grounds and meeting the strategic requirements that have been identified by the three football governing bodies?

Speaking as an MLA, I ask what system of accountability is in place in the Department of Finance and Personnel to ensure that the additional money that has been allocated to housing will be spent where it is needed: on Egan contractors, maintaining Housing Executive stock and, crucially, providing Housing Executive private sector grants. How can the Minister compel the Minister for Social Development to spend that money where it is needed?

**The Minister of Finance and Personnel:** With respect to the Member's final point, money is allocated under various heads and voted on by the Assembly. Within those heads, there is some potential for movement; however, without approval, money cannot be moved between heads.

Even in those heads, I think that departmental support must be sought and allowances made for amounts above £500,000. Departmental permission must also be sought for moving between capital and current spending. Therefore checks and balances are in place. If money is requested for a certain purpose and is allocated under a certain budget head, it can be moved around only with departmental permission.

Where money that is surrendered by DCAL is identified as not being needed at present, it is surrendered and returns to the general Budget. If pressures arise and money is needed for the purpose to which the Member referred, for example, it is up to the Minister of Culture, Arts and Leisure and the Department to make bids. On some occasions, Departments have surrendered money when there has been reduced pressure at a particular time of the year and have looked for money later in the same year.

There is sometimes a bit of team playing when a Department recognises early that it will not use some of its money and so makes it available. That happened with several Ministers last year, and the bids that they made later were looked upon favourably.

**Mr A Maginness:** I congratulate the Minister on his appointment. I further congratulate him on his escape during the night of the long knives when the First Minister culled his MP colleagues. One wonders why Sammy Wilson escaped, but that is for another day.

I welcome the £20 million that the Minister clearly stated was for housing maintenance. As he knows, however, there is still a gap of £100 million in the housing budget, and there is also the problem of renovation grants. The £20 million does not fundamentally affect that issue. Does the Minister have further plans to remedy that persistent problem, which affects many people?

**The Minister of Finance and Personnel:** In relation to the Member's tongue-in-cheek congratulation on my appointment, some people may say that it is not an escape at all but a punishment. However, we will see whether that is true.

I think that the Member misunderstood the statement. The £20 million was allocated on the basis of a capital allocation that was specifically for grants and adaptations. However, as a result of that money relieving the pressures on her capital budget, the Minister agreed that she will be able to move money in her current budget towards maintenance. Therefore, we have a double-dunter because capital money will be available for grants and adaptations, and, as a result of that money easing some pressure, the Minister will be able to move money in her current budget to deal with maintenance and with the Egan contractors. I hope that that is good news for the Member on both fronts.

**The Chairperson of the Committee for Employment and Learning (Ms S Ramsey):** Go raibh maith agat, a Cheann Comhairle. Like other Members, I welcome the Minister to his new position and wish him well for the future. Many, if not all, Members who asked questions mentioned the economy and the recession. Does the Minister agree that it is vital that special programmes be put in place and supported to allow people to be reskilled and upskilled? Does he support the Department for Employment and Learning's bid to put in place phase two of the Skillsafe programme? Does he see that as a priority in the weeks ahead?

**The Minister of Finance and Personnel:** I agree that it is important that we build up our skills base not just because of the recession, which has given opportunities to people who may need to change direction as far as jobs are concerned, but for the long-term benefit of the economy. That has been one of the directions of travel for the Executive and the whole Programme for Government. As well as the promotion of Science, Technology, Engineering and Mathematics (STEM) subjects, the building up of skills runs right through primary, secondary, and tertiary education and includes what we do with further

education and universities as well as with apprenticeship schemes.

Investment is required, and primarily that funding should be within the resources that are available to the Department for Employment and Learning. As far as I can remember — I hope that I am not proved incorrect — no actual bid has yet been made by the Minister for Employment and Learning for additional moneys. He has sought to use the available resources, which is the prudent way of dealing with those matters in the first instance.

As a society and an Assembly, we need to look at how we prioritise our spending and direct it towards the uses that will lead to the ability to grow the economy in the longer term or to improve the supply side of the economy, to use an economic term, so that we are in a position to grow the economy when the upturn comes. We also need to grow the economy in the direction of industries that have a long-term future to enable us to look internationally and not just at our internal markets.

**Mr McCarthy:** I welcome the Minister's statement this morning, and I have already offered my congratulations and good wishes to him for the months and possibly years ahead.

The Minister said that:

"the best way in which the Executive can provide support to local families and businesses is to deliver against the plans that are set out in the Budget and the Programme for Government."

Today, many families throughout our community, particularly the rural community, have real concerns about the proposed 70,000-hour reduction in ambulance cover across Northern Ireland, which could result in lives being lost.

When the Minister circulated his statement to Members, it was accompanied by a table that detailed an underspend of £16.6 million by the Department of Health, Social Services and Public Safety last year. Knowing the difficulties that have faced the Health Service, that seems a ridiculous figure. Will the Minister give an assurance that that will not happen again, particularly given what appears to be the current underfunding of the Ambulance Service? We want to see an efficient, safe and secure Ambulance Service provided for everyone in Northern Ireland.

**The Minister of Finance and Personnel:** I agree that we want to ensure that services to rural communities are maintained, just as they are to urban communities. I represent a constituency that has a large rural part to it, and some of my constituents live in scattered communities, so I fully understand the point that the Member made.

The Ambulance Service is the responsibility of the Health Minister. I do not and could not involve myself



in the minutiae of every Department's spending. The Health Minister has a budget of £4,300 million. That is the biggest departmental budget, and it has grown over the past years from 43% to 50% of the total Northern Ireland allocation. It has grown faster in the past year than the budget of most other Government Departments, apart from the Department of Education.

A huge amount of resources is available at the Minister's discretion, and it is up to him to manage his budget in the best way possible. I hope that the Minister will apply the kind of principles that the Member outlined.

1.15 pm

The Member asked whether we are best served by rapid-response vehicles rather than ambulances; that is a debate for the Health Service. However, the bottom line is that we want to deliver good front-line services to people in rural and urban communities.

**The Deputy Chairperson of the Committee for the Environment (Mr Boylan):** Go raibh maith agat, a Cheann Comhairle. I congratulate the Minister and wish him well on his appointment. I hope that he raises as much temperature in his new Department as he did in his previous Department.

The Minister is well aware of the e-PIC system, for which the Department sought £3.5 million in additional capital. Given the Minister's experience from his previous role, will he outline the time frame in which the e-PIC project will roll out to ensure that we receive value for money?

**The Minister of Finance and Personnel:** I must be careful not to assume my previous hat; the current Minister might be miffed if I did so. As the Member said, the e-PIC system is important to the efficiency of the planning system and provides information for people who make planning applications. Moreover, it will have considerable resource implications for the Planning Service's current spending, because it should free up planning officers' time.

As far as I am aware, after some initial difficulties with the delivery of the capital project, with the amount of money being spent on it and with the actual costs, a plan is now in place, and the resources are available to deliver the plan. Indeed, parts of the e-PIC system are already up and running and will be added to in the coming months. The programme is part of the Executive's capital investment programme and is a good example of how capital investment can help to build an effective infrastructure for the economy in Northern Ireland. Planning is the gateway for many investment decisions, and the e-PIC system should provide people with more information about their planning applications and enable them to trace developments. That should speed up the system and, in turn, deliver real benefits for Northern Ireland.

**Mr Speaker:** Before I call Tommy Gallagher to ask a question on the ministerial statement, I ask Members to keep their questions brief. Two Members remain on the list, and, if Members are brief, they can be accommodated.

**Mr Gallagher:** I add my congratulations to the Minister on appointment to his new position and welcome the moneys that have been allocated for housing, which will help to alleviate some difficulties that are outlined in the statement. However, I want to ask about the £179 million that will help to meet — we suspect that it will not meet — Northern Ireland Water's insatiable appetite for gobbling up money. Does the Minister accept that, to offset that £179 million, the promised reduction in the regional rate of some £160 a household will not happen? Instead, the money will go to Northern Ireland Water, because the First Minister and deputy First Minister said that they would defer water charges. Does the Minister agree that the public are not fooled —

**Mr Speaker:** I wonder whether the Member heard me.

**Mr Gallagher:** Will he recognise all this as the further advancement of water charges?

**The Minister of Finance and Personnel:** The Member has misunderstood the purpose of the £179 million. The idea was that, if water charges were introduced, the regional rate would be reduced to offset that and to avoid a double charge.

There would have been total transparency because people would have known what they were paying for regional rates and what they were paying for water rates. If we do not impose water charges, the regional rates will not come down, because one offsets the other. That being the case, people did not expect the regional rates to be reduced.

We said that the total bill would not change. However, people knew that, had water charges been imposed, some of their bill would have been allocated to regional rates and some to water charges. That pressure of £179 million is a consequence of not imposing water charges.

**Mrs M Bradley:** I, too, congratulate the Minister on his new position. I hope that he does not lose his sense of humour while in it.

I welcome the Minister's announcement that the Executive agreed a £20 million capital allocation to social housing. I come from an area in which there are high levels of deprivation and in which people are greatly concerned about housing, because they feel as though they are living in the 1960s or 1970s. In view of that fact, does the Minister believe that the Assembly should now invest more money in social housing? As I have said before, the number of people on the waiting list for the right to a house is at an



all-time high. Therefore, should we not, once and for all, put that on a firm financial footing?

**The Minister of Finance and Personnel:** First, spending on social housing in Northern Ireland is 60% higher than in other parts of the United Kingdom. Over the years, our housing stock has been greatly modernised, although I understand that some houses are of a poor standard and require work. I think that spending on house building in Northern Ireland is 160% higher than in other parts of the United Kingdom. Spending on social housing per capita is 60% higher than in other parts of the United Kingdom, and I have just allocated another £20 million.

We can all highlight individual cases; however, let us not lose sight of the fact that we have spent substantial amounts of money on social housing in Northern Ireland and that, by and large, we have good social housing stock.

**Mr Speaker:** Mr McNarry wishes to raise a point of order.

**Mr McNarry:** Thank you for the opportunity to raise a point of order, Mr Speaker. Today is the second time that a different Finance Minister provided a version of the reasons why Executive papers, including one on the June monitoring round, arrived late. That version differs significantly from that which was previously raised in a point of order and subsequently put into the public domain by the Minister for Employment and Learning. Given that that has affected the House, as evidenced by today's recall, what can your office do to inform the House as to which version can be believed?

**Mr Speaker:** As I have said previously in the House, what happens in the Executive should stay in the Executive; that is not the business of the House. The same applies to Committee business. On many occasions, Members have raised problems that they have had with their Committee. Those problems should rest with the Committee and are certainly not for debate in the House.

**Mr McNarry:** I am indebted to you, Mr Speaker, and I respect what you say. However, does your office consider that to be a weakness?

**Mr Speaker:** I have gone as far as I wish to go. Executive business should stay in the Executive; it is not for debate in the House.

Having disposed of the business to be transacted today in accordance with Standing Order 11(3), the Assembly stands adjourned until Monday 14 September 2009.

*Adjourned at 1.24 pm.*



# **Written Ministerial Statements**

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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## OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

### Protection of Children

*Published on Tuesday 30 June 2009*

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We are pleased to inform Assembly Members of the publication on Tuesday 30th June of the cross-departmental statement of the protection of children and young people.

The issue of child protection and the safeguarding of children is a key priority for all of us and an issue which impacts on the work of several departments and indeed that of the Northern Ireland Office.

Because of the cross cutting nature of this issue and its direct link to the 'living in safety and with stability' aspect of the 10 Year strategy we took the initiative to co-ordinate the development of this Statement. It is an issue which we also continue to progress through the work of the Ministerial Sub-Committee on Children and Young People which has identified 'safeguarding' as a priority.

Importantly, whilst the statement represents a 'snap shot' in time, it also provides a clear route map for the road ahead.

We would therefore encourage policy makers and professionals including those represented on area child protection committees (ACPCs) and the proposed new Safeguarding Board, non governmental organisations and departments to use this as a frame of reference to inform future work to safeguard children at a strategic level.

Copies of 'Safeguarding Children: a cross-departmental statement of the protection of children and young people by the Northern Ireland Executive' are available from the Children and Young People's Unit in hard copy. It has also been published online at: <http://www.allchildrenni.gov.uk/>

## ENVIRONMENT

### Future of the Local Government Staff Commission

*Published on Tuesday 30 June 2009*

**The Minister of the Environment (Mr S Wilson):** On 31 March 2008, my predecessor as Minister of the Environment, Arlene Foster MLA, made a statement to the Assembly outlining the Executive's decisions on the future shape of local government in Northern Ireland. In this statement, she made a commitment to review the Local Government Staff Commission (the Staff Commission) to ensure that it was resourced appropriately to continue to provide much needed support during the implementation of the decisions on the future shape of local government.

Mr John Hunter, a retired Permanent Secretary from the Department of Finance and Personnel, was appointed to undertake the review. His terms of reference were:

- i. to review the functions of the Staff Commission, as laid down in the Local Government Act (Northern Ireland) 1972, and to decide whether and to what extent those functions are appropriate to provide the level of support required to give effect to the implementation of the decisions of the Northern Ireland Executive on 13 March 2008 about the future shape of local government in Northern Ireland;
- ii. to consider any changes required to the resources of the Staff Commission; and
- iii. to provide a report by 31 October 2008 outlining options, drawing conclusions and making recommendations.

I received Mr Hunter's report in January 2009 and issued the report to stakeholders.

Specifically, I asked the Policy Development Panel with responsibility for local government structural reform issues, responsible to the Strategic Leadership Board, to consider the report's recommendations and report by the end of April 2009.

At the same time, the Staff Commission was asked to examine and comment upon the recommendations.

Comments on the report were received from the Staff Commission; the Policy Development Panel (enclosing comments from the Northern Ireland Joint Council for Local Government Services); the Public Service Commission and SOLACE NI.

I have given careful consideration to both the report and the responses received. Mr Hunter's recommendations, followed by my decisions on the way forward, are outlined in this statement.

Mr Hunter recommended that the Policy Development Panel "should draw on the experience of the Local Government Staff Commission and consider the creation of an organisation to provide regional support services to the new Councils."

A consultancy exercise is currently underway which is intended to provide the Policy Development Panel with sufficient information to enable recommendations on the organisational structure of the 11 new councils. As part of its deliberations, the Panel will consider what functions could be best delivered at a regional level, as well as potential delivery mechanisms. I will give consideration to the Panel's recommendations, when they are put to the Strategic Leadership Board in due course.

It was further recommended that the Local Government Training Group and its elected members sub-group should make early arrangements for the delivery over the next two years of comprehensive training and development programmes to build capacity in both officers and elected members.

This issue is being considered by the Policy Development Panel with responsibility for local government structural reform issues. To this end, I understand that the Panel is likely to propose that a joint delivery mechanism, comprised of a strategic partnership between the Northern Ireland Local Government Association and the Staff Commission's Local Government Training Group, will be established to take a lead role in overseeing the delivery of a capacity building implementation programme for both elected members and officers in the run up to 2011 and beyond. I expect that proposal to come to the Strategic Leadership Board for discussion and agreement in July.

Mr Hunter recommended that the Staff Commission should continue with its current resource base, with any new pressures being critically appraised and met on an ad hoc basis.

The Staff Commission will continue with its existing resources, but will have the opportunity to bid for additional funding from my Department if required.

The report also recommended that new legislation should extend the role of the Staff Commission to cover the new Transition Committees, when they are established by statute.

The Local Government (Miscellaneous Provisions) Bill will include provisions to establish statutory Transition Committees to implement the local government reform programme. In bringing forward regulations in relation to the composition, governance

and functions of the statutory Transition Committees, the role of the Staff Commission will be formally extended to provide support to these Committees on staffing matters. This extension will also cover the full range of functions and duties of the Staff Commission and its role in relation to the appointment and qualifications of officers of councils.

Mr Hunter recommended that the Staff Commission should service new negotiating machinery established specifically to negotiate the implementation of the local government reorganisation.

The Staff Commission has been asked formally to establish and service the Local Government Reform Joint Forum, which will facilitate consultation and negotiation between employer and employee representatives on Human Resources issues during the reorganisation of local government.

Finally, Mr Hunter recommended that the Staff Commission should:

- complete its work on updating its Code of Practice on Recruitment and Selection;
- support the 11 Transition Committees in the appointment of new Clerks and senior staff;
- provide early guidance on vacancy control procedures;
- develop model staff transfer schemes;
- generally assist with the implementation of the Public Service Commission's ten Guiding Principles as they apply to local government; and
- generally support the work of the Strategic Leadership Board, the Regional Transitional Co-ordinating Group, the Policy Development Panels and the 11 Transition Committees.

The Staff Commission will continue to fulfil its current remit. It will also complete, in its role of supporting the Local Government Reform Joint Forum, work on updating its Code of Practice on Recruitment and Selection, provide guidance on vacancy control procedures and develop a staff transfer scheme.

The Staff Commission will also continue to provide general support to the work of the local government reform implementation structures, particularly the Regional Transition Co-ordinating Group and the Policy Development Panels.

The Staff Commission will play a key role in ensuring that the ten Public Service Commission Guiding Principles as accepted by the Executive are applied fully in respect of all affected staff in local government.

The Executive has given its support to the Public Service Commission in its role in making recommendations to Government on the guiding principles and steps necessary to safeguard the interests of staff and to ensure their smooth transfer to new organisations established as a consequence of the decisions on the Review of Public Administration.

Government has circulated the Guiding Principles to all RPA-affected employers and has prepared accompanying Codes of Practice and Guidance Notes to give practical advice to those who will manage the implementation of the changes.

My predecessor, Arlene Foster, gave a commitment that the Guiding Principles would be central to the approach to all human resource issues that arise during the implementation of local government reform. I reaffirm this commitment. The Staff Commission will play a key role in monitoring compliance with these Guiding Principles throughout the reform process.

As Minister Foster indicated in her statement to the Assembly on 31 March 2008, the Executive will review the family of functions to be delivered by local government 12 months after the new councils become operational and periodically thereafter. As I have already indicated in my response to a Written Assembly Question (AQW/6234/2009), the Staff Commission will continue to exist until 2012 and its future will be considered as part of that review.

All those involved in the work on local government reform will be aware that there are many challenges ahead. There is much to be done between now and May 2011. The Staff Commission plays an important role in working with others to give effect to the Executive's decisions on the future shape of local government and this will continue throughout the transition period.

The Staff Commission has a wealth of experience and expertise that will help us to deal with the many and varied complex Human Resources issues arising throughout the reform process. There has been much good work so far, and I would take this opportunity to thank the Staff Commission for the key role they have played in the process to date. I look forward to continuing to work with all those involved in local government reform and to building on existing partnerships to ensure that the Guiding Principles are applied fully and consistently throughout the reform process.

## OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

### End-Year Delivery Report for the Programme for Government

*Published at 5.00 pm on Tuesday 30 June 2009*

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** On 25 June 2009 the Executive received the end-year Delivery Report for the Programme for Government.

The Delivery Report provides a robust assessment of progress up to 31 March 2009 against our key goals and commitments as set out in the Programme for Government and the departmental targets set out under the 23 Public Service Agreements (PSA). The report also provides an overview of departmental initiatives to address the equality and good relations issues highlighted in the EQIA undertaken at a strategic level on the PfG, Budget and Investment Strategy.

It is clear that substantial progress has been made in the first year of delivery. The Report acknowledges, however, the significant economic challenge we now face and the potential impact this may have on delivery over the longer term. Notwithstanding this, the progress to date and the degree to which departments have collectively engaged to drive delivery provide optimism for positive outcomes in the longer term.

In light of the findings of the Delivery Report, we have decided that reviews should be undertaken on 5 key areas with the aim of overcoming potential barriers to effective delivery. Three reviews will be undertaken at Ministerial level, these are:

- Promoting the Study of Science, Technology, Engineering and Mathematics (STEM) subjects.
- Green House Gas Emissions and Sustainable Development.
- Regeneration

The two further areas of Tourism and Productivity Growth will be reviewed at official level.

A copy of the report will be placed in the Assembly Library. It is also our intention to seek a Take Note debate on the Report after the summer recess.





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## SOCIAL DEVELOPMENT

### Equality Impact Assessment

*Published on Friday 3 July 2009*

**The Minister for Social Development (Ms Ritchie):** Further to my statement to the Assembly on 23 April 2009, I wish to update the Assembly on the outcome of the Equality Impact Assessment (EQIA) consultation on the Social Security Agency's Strategic Business Review implementation arrangements.

The findings from the formal EQIA consultation has identified only limited Section 75 impacts.

Having carefully considered all of the responses I am therefore content to proceed with the 'Customer First' initiative, commencing with a pilot in North District which will be operational in April 2010. The pilot will allow all of the proposed changes to be carefully tested and fully evaluated in a controlled manner. Subject to the outcomes of the pilot, I will consider how best to rollout the changes across the rest of the network.

A final report summarising the response to the EQIA on the implementation arrangements for the Strategic Business Review (SBR) within the SSA will be published (at noon) on 8 July 2009, on the Department for Social Development (DSD) internet site and can be accessed at: <http://www.dsdni.gov.uk/index/ssa/sbr/sbr-publications.htm>

I am grateful to all those who contributed to the public consultation and I will provide Assembly colleagues with further updates on the pilot as we progress through the testing of the proposals.

## HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Swine Flu

*Published on Friday 3 July 2009*

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** In my statement to the Assembly on Tuesday 30 June I advised members that I would provide a written update following my discussions with other Ministerial colleagues at the Cabinet Office Briefing Rooms (COBR). I would therefore like to take this opportunity to brief members of the decisions taken on changes to the way the UK will now deal with the swine flu pandemic.

As you are aware, the number of confirmed cases throughout the UK continues to grow, with cases doubling every seven days. The vast majority of these cases continue to be generally mild but as we have seen, it is proving severe in a small minority.

There are a total of 7,447 laboratory confirmed cases of Swine Flu in the UK and sadly, three people have died, all of whom had underlying health problems. The Republic of Ireland is also experiencing an increased number, with 51 confirmed cases.

Since the emergence of swine flu, the Public Health Agency, together with GPs and other staff across the health and social care service have been working tirelessly to contain the virus for as long as possible. The response of the Public Health Agency, GPs and other healthcare staff has been tremendous and I very much thank them for their hard work and dedication.

Their efforts have enabled us to curb the spread of swine flu, which has given us valuable time to learn more about the characteristics of this novel virus. This has also allowed us to set in motion plans to develop a vaccine.

It is thanks to many years of planning for a potential pandemic that Northern Ireland, along with the rest of the UK, will be among the first countries in the world to receive vaccine.

The first batch of vaccines is expected to arrive in Northern Ireland by August, and vaccination should start in September. Priority groups, such as those whose medical conditions put them at risk of complications from 'flu along with frontline health service staff, will receive the vaccine first. I want to reassure Members and the general public, that there will be enough vaccine for the entire population over the course of the pandemic.

All of these actions place us in a very strong position to deal with a more serious outbreak, which experts predict is highly likely in the autumn and winter months.

However, while our efforts to limit the spread of the virus have been effective, it was always likely that we would be unable to contain such an infectious virus indefinitely.

We have seen evidence in the UK of the virus spreading more widely within communities. Clusters of cases and widespread community transmission are already prevalent in parts of Scotland, the West Midlands and London.

As I outlined on Tuesday, the present situation in Northern Ireland is different to other parts of the UK. The vast majority of our cases to date continue to be travel related. Although this has been our experience to date, it is prudent for us to plan and prepare for similar clusters here, where a growing proportion of cases will arise from community transmission rather than travel.

Health Ministers across all four Administrations have noted clear scientific advice that the majority of cases in the UK so far have not been severe. Those people who have contracted the virus have generally made a full and rapid recovery – though a small minority of cases have had more serious illness.

Following a series of discussions, the four UK Health Ministers have now agreed that we should now shift our focus to treatment only – in other words treating those people who actually have swine flu.

The move will be a step by step treatment approach, giving clinicians discretion on how best to treat a patient with swine flu. It means that people who contract swine flu will still be offered antivirals but that antivirals will no longer be used as a preventative measure. In addition, the routine testing of suspected cases and the tracing of close contacts of a symptomatic patient will be discontinued.

Ministers have also considered, as we move into the treatment phase, whether we continue to offer antivirals to all patients displaying symptoms or whether a more targeted approach should be adopted, focusing on those most at risk of becoming more seriously ill.

The Scientific Advisory Group in Emergencies (SAGE) has considered this question and reports that on balance the science points towards adopting a targeted approach, but acknowledges that this is a ‘finely balanced’ decision.

Health Ministers are also conscious that, as this is a new virus, it cannot yet with confidence be directly compared to seasonal flu. Given this, we have decided to adopt a safety first, precautionary approach. Antivirals will still be available for treatment of people with swine flu.

Expert advice emphasises the high importance of treatment with antivirals for those in the higher risk groups, such as those with ‘at risk’ medical conditions. So, we will issue clear guidance to doctors to ensure

that those at higher risk get priority access to antivirals, within 48 hours of the onset of symptoms.

In addition antivirals will continue to be available to other people who have contracted swine flu. This will be at the discretion of the GP or clinician who is treating the patient who will make a clinical decision on whether antiviral treatment is necessary.

The fact that many people will recover from swine flu without antivirals means it is important that individuals and GPs are able to make an informed decision about appropriate treatment.

I acknowledge this is a cautious approach, however, as we discover more about the virus and develop a more precise categorisation of risk groups, we are likely to reassess our approach and move to a more targeted use of antivirals. We will keep this matter under review, with advice from SAGE, and will provide an update when this is necessary.

Today’s move to treatment is an important step. It continues to ensure that people with swine flu receive the treatment they need. It also enables local health services to shift their energies to deal with the increased numbers of people who have contracted swine flu, while freeing up the Public Health Agency to continue monitoring the way the virus is behaving.

I would remind members and the public that we cannot do this alone. Everyone must play their part in helping to reduce the impact of this pandemic. Now that schools are closing for the summer and people are going on their holidays, I would reiterate my public health messages and for people to contact their GP when they return home, if they feel unwell. People with symptoms should not attend the GP surgery but instead contact their GP by telephone.

In addition, the public can reduce their chances of catching the virus by following these simple but effective steps. Wash your hands regularly, and cover your mouth and nose with a tissue when you sneeze, then put the tissue in a bin – catch it, bin it, kill it.

We need to be prepared for every eventuality in relation to swine flu to ensure that the public has access to the right treatment – this requires the necessary funding from the Executive. I will be discussing the financial commitment required to manage our response to this emergency situation with executive colleagues today.

Mr Speaker, this Assembly and the people of Northern Ireland can be assured that I will do all in my power to respond to any emerging situation over the summer months and into the autumn and winter.

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## OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

### Westminster Draft Legislative Programme for 2009-2010

*Published on 21 August 2009*

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We wish to draw to the attention of the Assembly correspondence which we have received from the Rt Hon Paul Goggins MP, Minister of State at the Northern Ireland Office. In his letter of 27 July, he advises us of the publication of the UK Government's Draft Legislative Programme, the Bills which it is proposed should apply to Northern Ireland including those which would require provisions to be agreed by the Executive on the recommendation of the relevant Minister and a legislative consent motion to be passed by the Assembly. The Draft Programme can be found at:

[http://www.hmg.gov.uk/media/27752/legislative\\_programme.pdf](http://www.hmg.gov.uk/media/27752/legislative_programme.pdf)

The Minister of State has commented:

"Following the publication of the Draft Legislative Programme earlier this month, I thought it would be helpful if I wrote to you setting out which Bills we propose should apply to Northern Ireland and, of those, which would require provisions to be agreed by the Executive on the recommendation of the relevant Minister and a legislative consent motion passed by the Assembly."

Of course, at this early stage such a list can only be indicative, given that a number of the Bills have yet to be finalised. Three Bills are likely to require legislative consent motions for some or all of their provisions if they are to apply (or continue to apply) to Northern Ireland:

- Child Poverty Bill (introduced on 11 June);
- Digital Economy Bill; and
- Financial Services Bill.

Also, the following four Bills, will apply to Northern Ireland, but are likely to relate only to matters that are at present excepted or reserved:

- Constitutional Reform and Governance Bill (introduced on 20 July);
- Bribery Bill
- Policing, Crime and Private Security Bill; and
- Cluster Munitions Prohibition Bill.

Devolution of responsibility for policing and justice will of course alter the boundary between reserved and

transferred matters and could therefore make it appropriate to seek legislative consent motions in other cases.

I know that your officials (and those of other relevant Departments) and mine will continue to work closely together to ensure that the process of bringing legislative consent motions to the Assembly for decision works as smoothly as possible."

Copies of the Minister of State's correspondence of 27 July are available in the Assembly Library.





# **Committee Stages**



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# NORTHERN IRELAND ASSEMBLY

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## COMMITTEE FOR EDUCATION

17 June 2009

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### EDUCATION BILL (NIA 3/08)

#### Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)  
Mr Dominic Bradley (Deputy Chairperson)  
Mrs Mary Bradley  
Mr Trevor Lunn  
Mr Nelson McCausland  
Mr Basil McCrea  
Miss Michelle McIlveen  
Mr John O'Dowd  
Mrs Michelle O'Neill  
Mr Edwin Poots  
Mr Tom Elliott

#### Witnesses:

Mr Jeff Brown                      } Department of Education  
Mr Chris Stewart

**The Chairperson (Mr Storey):** A letter from the Minister covering several issues arrived at 9.10 am this morning. It comprises roughly 30 pages, and I doubt that members will have digested it all before today's meeting. It contains issues that we need to address, and I ask members to bear that in mind. We will return to the letter next week.

**The Committee Clerk:** Members could invite officials to clarify the letter at the meeting.

**The Chairperson:** Chris Stewart is always willing to help. At last week's meeting, the Committee continued its scrutiny of the Education Bill under the acting chairmanship of Michelle McIlveen and Trevor Lunn, and I appreciate their help in the absence of the Deputy Chairperson and myself. Chris Stewart and Jeff Brown are here and may want to answer members' questions.

Last week, the Committee commenced its scrutiny at paragraph 7 of schedule 1 and considered the remainder of schedule 1 and clause 2. The Hansard report of last week's meeting shows that the Committee agreed, because of the absence of the education spokesmen

of two parties and because only five members were present, not to take any decisions on the Bill. That was entirely appropriate.

I hope that members have had the opportunity to consider my letter of 12 June about making the best use of the Committee's time on the Education Bill in the run-up to the summer recess. I trust that members are content with the way forward outlined in my letter. In particular, we should try to make decisions on clauses based on the information that is available at the time in order to give the Clerk and his team clear instructions to prepare the draft report, which the Committee will revise in light of its final deliberations in September. That is important.

The Committee will produce a report, and members who sit on other Committees will know that the report will return to the Committee, whereupon we will study it line by line to establish an agreed position. Members should not worry that they may have agreed to matters that cannot be changed at some stage; the Committee will examine the report before it is submitted to the Assembly on 30 September 2009.

Stakeholders' concerns and the Department's response to them are set out in detail by individual clause in the spreadsheet. The objective of this meeting is to obtain maximum clarity on members' views on several issues and to determine whether they are content with the clauses or whether they propose amendments. Members may wish to express that support as proposed changes in principle, suggested rewording or additional wording to clauses.

Moreover, we want to consider what further information or clarification, if any, we wish to have as a matter of urgency from the Department or the stakeholders that may satisfy our concerns. The departmental officials are here today to clarify any points that members want to make.

I note from the draft minutes and the Hansard report of last week's meeting that Chris Stewart expected a lengthy and detailed response this week from the Minister on the concerns that the Committee raised in its letter of 20 May. The Committee received that response this morning, and members should have a copy of it in front of them.

I propose that the Committee re-examine certain key provisions in the Bill. Paragraph 2(1)(b) of schedule 1, which we have already considered, deals with the number of members of the education and skills authority (ESA). Are members content that the ESA should have seven to 11 members and a chairman? If not, what numbers do members suggest? Does anyone want to comment on that issue? I ask members to turn to the Minister's letter. Chris, do you want to comment?

**Mr Chris Stewart (Department of Education):** I begin by apologising for the late arrival of the letter; that is not what you or we would have wished.

The Minister addresses ESA membership in the letter. There are two important considerations to draw to members' attention. She considered carefully the point that was raised by Mr Lunn and by some stakeholders about whether the majority of ESA members should be local councillors. The Minister has given careful thought to that issue and remains of the view that, in the interests of ensuring local democratic accountability, the majority of members of the ESA should be local councillors.

The Minister also considered carefully the representations that were made about the total number of members of the ESA. Although, at this stage, she is not minded to bring forward an amendment to the Bill, she has indicated that she wants to give more consideration to the total number of members of the ESA.

**Mr Lunn:** I heard what Chris said, but I do not see it in the letter. The Minister says that some members consider that local councillors ought not to form a majority of the membership of the ESA, but that is as far as the letter goes. I am reading the letter for the first time now. I cannot see where she rules that out.

**Mr Stewart:** Please bear with me for a second, Chairperson.

**The Chairperson:** It is at the third paragraph on page 2.

**Mr Lunn:** I still cannot see it.

**The Chairperson:** It says:

"I wish to reflect further on the number of Board members."

**Mr Lunn:** That is fair enough; we are talking about the number of members of the ESA. I can find no reference to the majority of ESA members being councillors except for the first paragraph on page 2 of the letter.

**Mr Stewart:** It is there because the Minister has indicated that she is not minded to change the relevant provisions; therefore, she feels that the requirement that a majority of ESA members should be councillors ought to remain.

**The Chairperson:** Trevor has expressed a concern about the intention that a majority of ESA members ought to be councillors. Is that correct, Trevor?

**Mr Lunn:** Yes. I am curious to know whether I am the only one who has that concern.

**The Chairperson:** Have members other comments on that issue?

**Mr Lunn:** We can change our minds, I suppose.

**The Chairperson:** We will move to the provisions of the Bill to which the merit principle applies. Can the merit principle, which the Department has indicated will apply to all appointments to the ESA, be reconciled with ensuring that ESA members, as a group, are representative of the community in Northern Ireland?

Appointments on merit, particularly if the number of members is small, might result in a membership that was not representative of geography, sex or community background, which might affect public confidence in the ESA.

Do members have views on the merit principle? If members are not content, what amendments do they propose?

**Mr McCausland:** I am disappointed by the response on the issue of a membership being broadly representative of the community. The argument is made that that is appropriate for the Equality Commission and the Human Rights Commission.

We are told that this case is different because a representative membership is appropriate for commissions that are operationally independent of Ministers in the Assembly. That is true, but that does not preclude it also being appropriate for an issue as sensitive as education. There is no logic to the Minister's argument.

In the next paragraph of the letter, the Minister states:

"As I have indicated, the appointment arrangements would be based on the principles ... I recognise that it would be important for the ESA membership to have the trust and confidence of the broader community. With this in mind, the appointment arrangements will reflect the need to ensure balance."

Does balanced mean the same as representative?

**Mr Stewart:** In answer to the last question, balanced and representative are two different concepts. The Minister's letter states that she has considered the suggestion of some members for a board that would be broadly representative but that she does not consider that to be appropriate. Nevertheless, the Minister recognises that, in view of the sensitivity surrounding education as a public service and the importance of the ESA's enjoying a broad measure of trust and confidence, the membership must not be unbalanced or perceived as such. That is why the Department sought clarification on the extent to which it is possible to combine the merit principle with steps to deal with that issue. The Department considers it possible to retain the merit principle's centrality to the arrangements to ensure that there is not an imbalance in gender or geography.

**Mr McCausland:** My point is that there are two separate issues. Some members asked for a body that would be broadly representative, but the Minister says that the body will reflect the need to ensure balance.



What is the difference between a body that is broadly representative and one that is broadly balanced?

**Mr Stewart:** The difference is between proactivity and reactivity. If certain provisions required a representative membership, the approach to the appointment arrangements would have to reflect that, and we would have to seek membership of a certain composition proactively and overtly. The proposal that will be reflected in the appointment arrangements is a safety mechanism so that if the application of the merit principle would, without alteration, provide an unbalanced membership, something could be done to address that.

**Mr McCausland:** I find that answer confusing. In one case, the end result is a body whose membership is based on merit and that is also representative of the community; in the other, the body's membership reflects the balance of the community. What is the difference? There may not be that much difference, but experience tells me to get the issue nailed down properly and clearly, but I find it confusing.

**Mr Stewart:** The approach that we propose means that it is not possible to predict the outcome, whereas that would be possible were the requirement proactively to seek a representative membership.

**Mr McCausland:** Could you end up with a body that was not balanced?

**Mr Stewart:** It is impossible to predict exactly how balanced the body would be, because we do not yet know who will apply and who will satisfy the merit principle.

**Mr McCausland:** In other words, the phrase:

"the appointment arrangements will reflect the need to ensure balance"

could be removed as it is meaningless: ultimately, appointments will be made on the merit principle and on nothing else.

**Mr Stewart:** That is not what we are saying. Let me give a hypothetical example: if all the applicants to the ESA board who satisfied the merit principle were of the same gender, there would be nothing that we could do to achieve a balance. On the other hand, if the top 12 candidates were of the same gender but there were candidates of the other gender who, although not in the top 12, were nevertheless above the line so to speak, it would be possible to depart from strict adherence to the merit principle to ensure a better balanced membership.

**Mr McCausland:** If, in extreme circumstances, there were to be no applications from one gender, would the position be advertised again?

**Mr Stewart:** That would be likely.

**Mr McCausland:** Therefore you could achieve a body with a representative membership.

**Mr Stewart:** We will strive to achieve a balanced membership, but it is not the Minister's policy that we seek a representative membership.

**Mr McCausland:** If the attitude is that we cannot even achieve equality in a body that should be representative of Northern Ireland society, we are not getting off to a good start.

**Mr Lunn:** I agree with Nelson. We must balance education interests, the needs of the broader community and gender-equality requirements. It looks as if we will have a 12-person body, seven of whom must be councillors, so there will be room for only another five members with whom to balance other interests. It is plain to see that, no matter what we say, that is how it will be. I will watch with interest the Department and the Minister attempt to square the circle, because doing so appears to be impossible.

**Mr O'Dowd:** There are several layers to the structure of the ESA. The layer that we are discussing comprises the management body, which will implement departmental and Assembly policy, and this Committee will scrutinise those policies. The management body's sole function will be to carry out that role; it has a mechanical function. The underlying layers include the sectoral support bodies, which must reflect the sectors that they represent. Below that layer are the local area teams, which will also have a mechanical role, and, below them, will be the committees, which will be able to be representative and balanced in the way that some members wish.

As the Minister's letter says, many organisations, including health bodies, the Housing Executive and the PSNI, have management structures that are based on the same merit principle on which this body will be based. Therefore, this type of body is not an invention of the Minister, my party or a Marxist guerrilla in the Department of Education; it is fundamental.

**Mr Stewart:** How do we spell "guerrilla"?  
[Laughter.]

**Mr O'Dowd:** It is a fundamental structure that might be found in any administration.

**The Chairperson:** I accept that such functions would be preformed mechanically, but it is the power that the ESA will have that is the issue. We are not talking about a distant mechanical structure; the ESA will be a very powerful organisation that will be able to say no to schools, despite article 101 of the Education and Libraries (Northern Ireland) Order 1986. It is an oversimplification to say that the body that we are constructing is merely mechanical.

**Mr O'Dowd:** The Minister, whoever that may be, will hold all the power. Therefore, if we want to achieve the balance that you talk about, we will need four Ministers of Education. As things stand, the Minister will hold those powers.

**The Chairperson:** We have enough trouble with one Minister, never mind four or five.

**Mr B McCrea:** I am with the others on this issue. We are trying to cover a great deal of policy with one body. I did not get a chance to talk about councillors, but my position on that is on the record.

**The Chairperson:** Do you want to clarify your position, because our discussions are being recorded by Hansard?

**Mr B McCrea:** I am not absolutely convinced that democratic oversight should lie with councillors; that would be asking a great deal. Therefore I record my reservations about that once again.

There seems to be a clash between the merit principle and the equality principle; it seems that we cannot have both. I understand that the original supposition was that appointments would be made entirely on merit, but we are now trying to do too much. It all comes back to the fact that we have not yet resolved what we are trying to do. It is a triumph of process over principle, and we have not settled on how much power should be given to the ESA.

I accept Mr O'Dowd's point that the Minister already has the power, but, frankly, that is my concern. If that power does not command cross-community or sectoral support, many people will be dissatisfied with the democratic process. I do not wish to be negative about everything; however, the Ulster Unionist Party is concerned about the amount of power that will be given to the ESA, and we are reluctant to support it in its current form.

**Mr McCausland:** The powers of the ESA are another matter; we are dealing with its membership. I would like the Committee to be given a short paper on how membership works in the Equality Commission and the Human Rights Commission. Chris talked about being proactive and reactive, but I would like to know how it is done in practice. The Minister is at the top of the pyramid, but it is important that every sector of the community have confidence in the structures at every level. The only way to build confidence is to have representativeness across the board.

There is representativeness on crucial issues such as equality and human rights, and there is no more crucial issue than education. Various sectors have expressed passionate and earnest views to the Committee about the importance of education. Education is especially important; it is at the heart of every home and every family; it is different from libraries, the Sports Council and other bodies. We need to get the system right, and there needs to be representativeness in the membership of the ESA.

**Mr Poots:** I approach the matter from a slightly different angle. The Minister proposes that the ESA

board should have 12 members and says, in effect, that a larger board would be ineffective. We have five education boards, each of which has 35 members, so it seems that larger boards work to a greater or lesser degree. An ESA board of 12 members is not sufficient to reflect adequately the diverse range of views in education across Northern Ireland; we need to move away from such a small figure.

I have a problem with the Minister's proposal to establish subgroups to feed into the main board of the ESA, whereas a larger board could accommodate the necessary subgroups. However, the Minister proposes to bring in far more than 17 or 19 people, which would have been an appropriate board size.

Therefore, the Minister needs to reflect seriously on whether to opt for a small board. Education is far too diverse, as Mr McCausland said. We are not talking about the Housing Executive; the plethora of issues that exists in the education sector does not exist in the housing sector. Having an education and skills authority with a small, unrepresentative board would be hugely damaging to education.

**The Chairperson:** With regard to the merit principle, how would you defend against complaints from very highly qualified applicants who cannot be appointed because of the need to achieve balance? Would you have to re-advertise, as has been suggested?

**Mr Stewart:** If an insufficient number of candidates applied or an insufficient number of candidates satisfied the requirements of the merit principle, then, yes, we would have to re-advertise.

**The Chairperson:** Nevertheless, if a raft of highly qualified people applied but you did not achieve balance, what would you do?

**Mr Stewart:** It is important to remember that we cannot depart from the merit principle to the extent that we would appoint someone who is not above the line. Anyone who is appointed to the membership of the ESA will satisfy the merit principle. Yes, some will satisfy it more than others, and it may be necessary to depart from strict merit order, but that is in keeping with the Commissioner for Public Appointment's guidance and code of practice.

**Mr D Bradley:** I made my views on this subject known previously. Having a bigger board with somewhere in the region of 20 members would make it easier to achieve the necessary range of expertise and balance, and the board could still have a majority of councillors.

**Mr O'Dowd:** Mr McCausland has requested a paper, which I think would be useful, but it might also be useful for members to get a copy of the commissioner's code of practice on appointments. There has been an overemphasis on the word "balance", and it would be

useful to look at the matter in the context of the commissioner's code of practice.

**The Chairperson:** We are looking at paragraph 2 of schedule 1, which deals with membership. Obviously, there is no consensus on the number of members of the ESA being between seven and 11. There is a view that there should be more members than that. There is also the question of whether the Committee needs to suggest that an additional sub-paragraph be added. Paragraph 2(2)(b) states:

“that each member has experience in a field of activity relevant to the discharge of the functions of ESA.”

Is there a requirement for an additional sub-paragraph? The difficulty is that the letter that we received this morning from the Minister tells us that she will reflect on the number of board members, so we still do not know what the definitive position will be.

**Mr Lunn:** We could coalesce around a particular number. Edwin said 17 or 19 and Dominic said 20. There should be a figure in that range that we can agree on and that would allow for the various interests to be more easily represented.

**The Chairperson:** Is the Committee agreed that the figure should be larger than what is outlined in the Bill?

**Mr Poots:** We need to lay down a marker. If the Committee were to say that the membership should be more than 11, the Minister may come back with 12 or 13. I am easy with a figure of in and around 20, and whether it is 18, 19 or 21 is not a big issue for me. The education system is diverse; it includes the Catholic system, the state-run system, the integrated system and the Irish-medium system, so we will not get away with that smaller number, particularly given the number of public representatives that are to sit on the ESA. It is just not feasible.

**Mr B McCrea:** My concern is about what we want that body to do. If it starts out as being purely managerial and mechanical, a different composition would be needed. If it becomes involved in bringing together community and sectoral issues, a much broader view would be required. My fear is that we are just getting layer upon layer of red tape, and that no one takes decisions.

I thought that the idea that we wanted to convey in the Bill is that we have to take decisions about the demographic downturn and all sorts of other issues. It seems to me that this Committee is trying to design a horse but will end up with a camel. There is no clear consensus around how we will tackle the diverse and challenging views on education, and we will not get a good structure until that consensus is reached.

**Mr Poots:** We are talking about the composition of the board. We should stick to talking about that rather

than going down some by-path meadow that is not really relevant at present.

**The Chairperson:** We have to try to work our way through the schedule methodically, if we possibly can. I do not think that the Committee is going to come up with any suggestions for an additional sub-paragraph for inclusion in the paragraph on membership.

**Mr O'Dowd:** Is the Committee minded to write to the Minister about its various views? There have been discussions about numbers. Some members feel that we should have 15, 17 or 19 board members. I note that the Minister said that she wants more time to reflect on that. However, the Committee could ask the Minister to come forward with a definite number.

**The Chairperson:** I think that that was Edwin's suggestion, rather than to set an arbitrary figure. We are certainly talking about more than seven or 11 board members.

**Mr Poots:** The board of the ESA should have a skills base. It should have people with experience in corporate and financial matters and educational psychology. Fewer board members would not provide that range of experience, and it would then be necessary to get into the issue of additional support. I suggest that we try to get the entire range of experience on the one board.

**The Chairperson:** That is, in a sense, reflected in paragraph 2(2)(b) of schedule 1, which states:

“that each member has experience in a field of activity relevant to the discharge of the functions of ESA.”

**Mr Lunn:** I hear the suggestion, but I am a bit concerned. The Minister has said that she is prepared to reflect on the size of the board, and the Committee seems to have accepted the suggestion that we should ask her to reflect on it. We are getting close to the finishing line, so perhaps it is time that we started to make some firm suggestions to the Minister. The Committee should be writing to her to say that although we take on board her point that it is possible to increase the number of board members by Order, the board should comprise at least 18 members at the outset.

**The Chairperson:** I am reluctant to get the Committee to agree a figure. Where does one draw the line — at 18 or 20?

**Mr Elliott:** It is an issue that might resolve itself when the Minister comes back to the Committee.

**The Chairperson:** That would probably be more productive. The letter states that the Minister wishes to reflect on the matter. The departmental officials here today and the Minister know that the Committee is not happy with the figures outlined in the Bill. Therefore, we have to find agreement between what is in the Bill and where we want to be. I believe that we can get that agreement. I am a bit reluctant simply to pull a figure



out of the hat. The Committee agrees that the figure should not be as contained in the Bill, but we are not agreed on what it will ultimately be.

**Mr Lunn:** It will come back as 13.

**Mr Poots:** The information that Chris will take to her will show that that would not be acceptable.

**Mr D Bradley:** Can the Committee write to the Minister asking for the outcome of her reflections on the issue?

**The Chairperson:** Yes.

**Mr McCausland:** We are requesting information on the Equality Commission and the Human Rights Commission. Will we do anything more today on the issue of the representativeness of the board of the ESA, or will we leave it until we receive that information?

**The Chairperson:** There is a clear difference, whether it is on emphasis or in interpretation, between members' views on that issue and the Department's suggestion. We need to consider whether we want to do something that expands and clarifies the issue of the ESA's representativeness.

**Miss McIlveen:** I am mindful that we wrote to the Minister on 20 May and received correspondence only today. We should, surely, make it known that we require urgent responses if we intend to deliberate and possibly make amendments.

**The Chairperson:** That should be a given. Some of the information has been in the domain for six months.

**The Committee Clerk:** I suggest that, procedurally, the final limit should be Friday 26 June. The Committee must bring recommendations on amendments to the House by 30 September. If the Committee is to engage in an iterative process with the Minister, she needs to respond to the Committee's issues on a weekly basis.

**The Chairperson:** Paragraph 2(3) of schedule 1 states:

"The Department may by order amend sub-paragraph (1)(b) by substituting for the numbers specified there such other numbers as may be specified in the order."

Chris, will you explain the meaning of that?

**Mr Stewart:** It is a safety-net mechanism. If we discover that the ESA's board is not big enough, we can add to the membership.

**The Chairperson:** Can it also reduce the membership?

**Mr Stewart:** It could, technically, reduce it.

**The Chairperson:** If it goes one way, it can also go the other.

**Mr Stewart:** That is correct, the provision could be used to reduce the membership, but I have heard no

argument anywhere that the proposed numbers are too large.

**The Chairperson:** Are members happy with that provision? Personally, I have no issue with it.

**Mr Poots:** Can the Minister change the membership without Assembly approval?

**The Chairperson:** The legislation states:

"The Department may by order amend sub-paragraph (1)(b)".

Will you clarify the procedural implications of the phrase "by order"?

**Mr Stewart:** The Order would be subject to Assembly control by the negative resolution procedure. Therefore, it would come into effect unless the Assembly voted against it.

**The Chairperson:** That is a difficulty for some members.

**Mr D Bradley:** What happens if that situation arises during the summer?

**The Chairperson:** That could cause a difficulty.

**Mr Stewart:** I would need to check that, but I am sure that the Assembly will have considered that matter and that that would not be possible.

**Mr B McCrea:** The issue is whether the Order would be subject to a cross-community vote.

**The Chairperson:** What if it were subject to negative resolution?

**Mr B McCrea:** It would pass unless it is defeated by a cross-community vote.

**The Chairperson:** What if it were subject to affirmative resolution?

**Mr B McCrea:** Making the Order subject to affirmative resolution would be a stronger safeguard.

**Mr Stewart:** That is correct; a cross-community vote would happen only if a petition of concern triggered the cross-community vote mechanism.

**Mr B McCrea:** It is possible that if the Minister amended the numbers by Order, a petition of concern would be submitted. Making the Order subject to affirmative resolution would create more confidence in the process.

**Mr D Bradley:** What are the likely circumstances under which such an Order would be used?

**Mr Stewart:** It would be used if we found that we had significantly underestimated the number of members required to discharge the responsibilities of the ESA. It is a safety net in the event that we get our homework wrong and find that the ESA's effectiveness is impaired by having too few members.



**The Chairperson:** But, equally, if it is a safety net to deal with concerns, the regulations could be subject to affirmative resolution rather than negative resolution.

**Mr Stewart:** Yes.

**Mr B McCrea:** I am happy to suggest that the provision would be OK if it were subject to affirmative resolution. That does not seem to be a problem.

**Mr O'Dowd:** Before I agree to anything, I would like to see a written report that explains the difference between negative and affirmative resolution. We are getting information from various angles, but I would like to hear from the experts.

**The Chairperson:** To return to an earlier example, my understanding of the difficulty that we face with the regulations on teacher redundancies is that the Department could lay the regulations over the summer recess. We could pray against them but they would come into effect because they were laid during recess under negative resolution procedure. However, if they were subject to affirmative resolution procedure, that scenario would not arise because cross-community support would be required. Is that correct?

**The Committee Clerk:** As was pointed out, the requirement for cross-community support would be triggered only by a petition of concern, and the House would then affirm the regulations under affirmative resolution procedure. The Chairperson is right; if the particular regulations that were referred to earlier are laid over recess under negative resolution procedure, they could come into operation under the 21-day rule. However, under a 30-day rule that applies when the House is in operation, the House could pray against the regulations in September or October, depending on the statutory period for praying against the rules. However, the regulations could be brought into operation over the summer and, of course, utilised.

**The Chairperson:** That is the difficulty. We could be praying against regulations that have already been introduced. If members are happy, we can request a paper on that. Who would provide that?

**Mr O'Dowd:** Perhaps the Bill Office or a research officer could provide that paper.

**The Committee Clerk:** I can certainly provide information on the negative and affirmative resolution procedures.

**The Chairperson:** We will note down that there is a suggestion that the regulations should be subject to affirmative resolution.

**Mr B McCrea:** I would like it to be recorded that I would be much happier if the regulations were subject to affirmative resolution.

**Mr O'Dowd:** Can we also check whether a similar provision is included in the latest RPA legislation for other Departments?

**The Chairperson:** Before we go any further, I want to clarify an issue with the Clerk; we are now moving on to paragraph 7(1) of schedule 1, yet we still have to deal with paragraphs 3, 4 and 5.

**The Committee Clerk:** At last week's meeting, the Committee went through the other paragraphs and had no substantive comments to make, but there was some debate on paragraph 7.

**The Chairperson:** As there was no comment on the paragraph entitled "Tenure of office", we shall move on to the next paragraph, "Remuneration and allowances of members". That is a very touchy subject, to which members should have regard. Paragraph 5 is entitled "Employees", and it sets out the role of the chief executive, and so on. The next paragraph is entitled "Remuneration, allowances and pensions of employees". That brings us to paragraph 7(1) of schedule 1, which falls under the heading of "Committees". Are there any comments on that?

**Mr Elliott:** Can we go back a little to paragraph 5(4)? It states that:

"ESA shall not appoint a person as chief executive unless the Department approves the appointment."

What will be the process for that appointment? Does that mean that the ESA board will appoint the chief executive but that the appointment will then need the approval of the Department?

**Mr Stewart:** Yes. The ESA will carry out the necessary competition; it will choose a top candidate and then ask for the Department's approval to make the appointment formally. The reason for that — and it is not as draconian as it might first appear — is that the chief executive of the ESA will be the accounting officer of that organisation and the Department needs to confirm him or her in that role. It is very important that the Department is in a position to do that.

**Mr Elliott:** Is that normal procedure? Not being a member of any of the education and library boards, I do not know how they operate. Do they appoint a chief executive, or is that appointment open to scrutiny by the Department?

**Mr Stewart:** The position with the education and library boards is the same.

**The Chairperson:** Therefore, an education and library board carries out the interviews and makes all the arrangements in relation to the position. It then appoints the successful candidate and that appointment is sent to the Department for approval?

**Mr Stewart:** That is correct.

**The Chairperson:** OK. Are you happy enough with that Tom?

**Mr Elliott:** Yes. Thank you.

**The Chairperson:** Concerns were raised in the House this week about how Queen's University, a public body, has, it seems, given its staff a large pay increase. In paragraph 4, which deals with the remuneration, and allowances of members, it is stated that:

"ESA shall pay to its Chair and other members such remuneration and allowances as the Department may determine."

Does that cover salaries or additional expenses?

**Mr Stewart:** That paragraph applies solely to the members of the ESA. Paragraph 6 contains a similar requirement regarding the salaries of employees.

**The Chairperson:** Paragraph 6(1) states that:

"ESA shall pay to its employees such remuneration and allowances as it may determine."

**Mr O'Dowd:** If there was an increase in board membership, would there be financial implications?

**Mr Stewart:** Yes, there would be. Assuming that the remuneration levels remain the same, increasing the number of members would also increase the cost.

**Mr O'Dowd:** What sort of remuneration levels are we talking about?

**Mr Stewart:** I would have to check that and come back to you. There has been thinking in the Department as to what those levels should be, but I am not aware of the detailed figures.

**The Chairperson:** Are the salaries, remuneration and allowances set by the Department, DFP or joint negotiating councils? Who ultimately has oversight or control?

**Mr Stewart:** In a sense, it would be all of the above. The grading of senior posts in the ESA and the level of remuneration for those posts will be based on the outcome of a formal process of weighting and assessing the content of the posts. The grading of other posts would probably be fairly standard and would be based on recognised grades and structures in the education sector. However, all of that is subject to the approval of the Department and, thereafter, the approval of DFP.

**Mr D Bradley:** Presumably the post of chairperson of the ESA is not a full-time salaried post.

**Mr Stewart:** It is certainly not salaried. Again, I would need to check the details, but my understanding is that it is not intended to be a full-time position.

**Mr D Bradley:** Would the remuneration for that post include — and I hate to use the word — expenses?

**Mr Stewart:** Yes. Expenses would be part of that remuneration. I have no doubt that, in the current climate, the Department and the ESA will want to

ensure that there is both robustness and transparency around the payment of expenses to anyone associated with the ESA.

**The Chairperson:** That brings us to paragraph 7, which is entitled "Committees". At last week's Committee meeting, we explored with officials the possibility of amending paragraph 7(1) to read "ESA shall establish committees", instead of "ESA may establish committees". Subject to legal advice, Mr Stewart did not see that as being problematic; at least that is what it says on the piece of paper in front of me. Do you have an update on that?

**Mr Stewart:** Sadly, I have to report that my optimism of last week was misplaced. Members will see from the Minister's letter that she has made it clear that she does not see a need to specify the local or committee structure of the ESA in the Bill. The difficulty with the potential amendment that we discussed last week was that the use of the word "shall" starts to take you down that line. On further reflection, and with the benefit of some informal legal advice, we concluded that it simply would not be possible to make that amendment. If you say that an organisation shall do something, you really need to go at least one step further and say something in the legislation about what it is that that organisation shall do. Therefore, the amendment would commit us to specifying the committee structure in the Bill, and the Minister does not feel that that is appropriate.

**The Chairperson:** Surely that goes right to the heart of what we are constructing? We are establishing an organisation that may or may not decide to establish committees. If the wording remains as it is, the ESA may establish committees. The inference is that it could equally decide that it will not establish committees.

**Mr Stewart:** The Minister hopes to reassure the Committee on that point in one of the papers attached to the letter; she sets out clearly the Department's thinking on what it will require the ESA to do as regards committees.

**The Chairperson:** But, Chris, if it ain't on the tin, it sometimes ain't in the tin. That is the problem. So that members do not think that I am going on one of my rants, let me say that it is not about this Minister; it is about whoever the Minister may be in any future Administration. The Bill says that the ESA "may" establish committees. Therefore, as there is no legal requirement on the ESA to establish committees, a Minister could decide that there is no need to have them, or the board of the ESA could decide that it does not need them because it has all the information and can do the work itself.

**Mr Stewart:** There is no automatic requirement in the Bill, but if the ESA were to attempt to make such a decision, the Minister would direct them otherwise. To carry the Chairperson's analogy a little further, the

Minister proposes that rather than writing it on the outside of the tin, to take the lid of the tin and show you what is inside.

**Mr D Bradley:** You said earlier that outlining the structure of the committees would be problematic. Why would it be problematic?

**Mr Stewart:** The Minister does not wish to specify the committee structure in the Bill because it would be inflexible. If it became necessary to change the structure of the committees as a result of the experience of operating the ESA, it would be necessary to amend the primary legislation. That is, of course, not impossible, but the Minister does not feel that that allows for sufficient flexibility in the organisation, particularly in its first year or two of operation.

**Mr D Bradley:** The Minister has specified the number of members and a safety net has been included. Could the same process not be applied to the structure of the committees?

**Mr Stewart:** It is one thing to specify numbers and include a mechanism to change the numbers, but specifying the structure of the committees would involve much more detail. I cannot think of an easy way of creating the same sort of safety-net mechanism to allow that structure to be changed other than by amending the primary legislation.

**Mr D Bradley:** There is a safety-net mechanism that would allow for a change to the number of members of the board of the ESA, so I do not see why there could not be a similar mechanism that would allow the committee structure to be changed by an Order.

**Mr Stewart:** Although it would be difficult, it may be possible. If you are talking simply about the number of local committees, it would be possible to have a similar mechanism. However, that would not tell you anything about the configuration of the local committees or the other committees that the ESA would need for human resources, audit, risk management, and so forth.

**The Chairperson:** We must clarify that. On page 13 of the Minister's letter is the acceptance that:

"The ESA will also establish 11 Local Committees to work with the LATs".

Are you saying that those 11 committees are being taken off the tin and that we are looking in?

**Mr Stewart:** Yes.

**The Chairperson:** The ESA is not, however, under any requirement to establish 11 committees. That may be the intention of the Minister, but the ESA may decide that it needs only six committees, not 11.

**Mr Stewart:** You are absolutely correct.

**The Chairperson:** A potential safeguard is similar to the one the Committee suggested during an earlier

discussion; namely that an affirmative resolution could be set out in regulations.

**Mr Stewart:** I was about to say that the likely mechanism would be regulations, and the Assembly could decide to make the regulations subject to the affirmative resolution control procedure. That is technically possible, but I am obliged to point out that it would be an extremely unusual approach. I am not aware of such an approach having been taken for any other of the bodies to be established under the RPA.

**Mr Lunn:** The Minister's comment on page 13 is that the ESA "will" not "may" establish.

**The Chairperson:** In fairness, that is the Department's paper.

**Mr Lunn:** Last week, I suggested that the word "shall" might be substituted for "may". Frankly, having listened to all that has been said, I could not care less.

**The Chairperson:** I hope that Hansard records that.

**Mr Lunn:** The ESA cannot exist without committees; that does not need to be confirmed because it is blatantly obvious. Whether the word is "may" or "shall", the ESA is going to have to establish committees.

**Mr B McCrea:** Is that a proposal that we should insert, "is going to have to"?

**Mr D Bradley:** That means "shall", does it not?

**Mr Lunn:** Or,

"The ESA will have no option but to".

At the top of page 13, the Minister suggests the establishment of four further important committees, but the Bill leaves it open in such a way that they can be designated and formed according to the requirements of the ESA as it evolves. We are becoming unduly suspicious about what is in the tin.

**Mr O'Dowd:** Trevor helpfully pointed out that I raised the issue last week; I wish that I had not. We could be definitive at this stage by specifying "shall" and thus determining the structure of the committees; however, ahead of the RPA making progress on councils, particularly community planning in councils, that may restrict the input of local councils. Local planning that will work in Fermanagh will not work in north Belfast or west Belfast. It would be more helpful to allow local areas to find local solutions and the ESA to work locally on its committee structures.

As for the ESA backtracking on its commitment, it exists to carry out the policies and decisions of the Minister; to the best of my knowledge, it is not a policy-making body. It is not contrary to any of the political parties' policies to have coterminosity with local structures and Government agencies. Therefore, 11 seems to be a sensible number of committees.



**The Committee Clerk:** That is where we are on membership.

**The Chairperson:** The other element is the make-up of the committee, because paragraph 7(2) of schedule 1 says:

“A person who is not a member of ESA shall not, except with the approval of the Department, be appointed to a committee of ESA.”

And 1(7)(3) says:

“ESA may pay to members of its committees who are neither members nor employees of ESA such remuneration and allowances as ESA may, with the approval of the Department, determine.”

That is reasonably straightforward. We do not have the composition of the membership of the local committees.

**Mr Stewart:** No; that will be an operational matter for quite some way down the line.

**The Chairperson:** I refer members to page 13 of the Minister’s letter, where she talks about:

“These Committees will ensure that the ESA has a strong interface with local communities and that the views of local representatives are communicated to inform decision-making at Board level. They will comprise a number of elected representatives and members with local knowledge and expertise — a mixture of educationalists, business sector, community, parents and pupils — to ensure that the full range of views are taken on board. The configuration will be that each local team (other than the Belfast team) will be associated with two local committees.”

Do members wish to comment on the ESA establishing local committees? Should the Department’s position continue to be that the ESA committee arrangements should not appear in the Bill, are members content with such an approach or would they wish the Bill to require the Department to create and fix the number of local committees or to spell out their role and function and what regard the ESA and its local manager and delivery unit should have to local communities? Chris did say, although with a caveat, that he deems it highly irregular to have regulation and affirmative resolution to deliver such a provision.

**Mr Stewart:** I would not, perhaps, use the word “irregular”. It would be perfectly proper for the Assembly to take such a course of action, but the Minister would want to know from the Committee the reason for adopting such an unusual approach, as it is not taken elsewhere in the public service.

**The Chairperson:** Another approach could be the inclusion of enabling provisions in the Bill for the Department to make regulations covering the composition, role and operation of local committees, and, perhaps, the ESA’s main sub-committees — the mechanism that the Department of Education proposes for the education advisory forum, which has been suggested. A component could include a timing requirement, possibly linking the commencement of part or all of the Bill to the making of the regulations. Members might also wish to consider where such regulations should be subject to

positive or negative affirmation by the Assembly. That is an attempt to condense all the discussion that we have had.

**Mr B McCrea:** Chris said that the Minister would want to know why. There is benefit in agreeing significant elements of the Bill by positive resolution because that allows us to develop a framework, and as working practice and trust builds, other things could be done. We should not let that opportunity to move things forward pass.

**The Chairperson:** We move on to paragraphs 7(2) and 7(3) schedule 1. I note that the members who were present at last week’s meeting indicated that they were content with those paragraphs. Are those members who were not present last week content?

**Mr B McCrea:** Where are we?

**The Chairperson:** We are still at paragraphs 7(2) and 7(3) schedule 1. Are members content with those provisions?

*Members indicated assent.*

**The Chairperson:** We move to paragraph 8 of schedule 1 “Delegation to committees and staff”. Paragraph 8(1) permits the ESA to delegate any of its functions to any ESA committee or employee; paragraph 8(2) permits an ESA committee to delegate any of its functions to any ESA employee; paragraph 8(3) makes such delegation of functions subject to law and to any regulations that the Department may make under paragraph 8(4). Last week, after some discussion, members indicated that they were content with that approach. Do members wish to make any other comments?

**Mr Elliott:** I assume that that is a working arrangement. The ESA will need to delegate power, but the delegation of too much power can lead to a loss of control. I am not sure what safeguard could be added to prevent that.

**The Chairperson:** It is similar to other issues that we have discussed. Indeed, Chris Stewart said earlier that the approach is no different from what has happened before. Is that delegation of powers similar to what happened in the Health Service?

**Mr Stewart:** I cannot say that it is exactly the same in all cases. However, nothing in paragraph 8 of schedule 1 is particularly unusual compared to other organisations or to what has happened in the past. It is a fairly standard provision and approach.

**The Chairperson:** Are members content?

*Members indicated assent.*

**The Chairperson:** By virtue of clause 51, the regulations are subject to negative resolution only. Therefore, unless there is sufficient cross-community support for a motion that prays against the regulations,



they will become law after being laid in the Assembly for a set period. Would the Committee prefer the Bill to require an affirmative Assembly resolution for regulations that necessitate certain ESA functions to be exercised by an employee on behalf of the ESA? Does paragraph 8(3) of schedule 1 simply refer to the delegation of powers?

**The Committee Clerk:** Yes.

**Mr B McCrea:** As a general principle, all regulations should be subject to affirmative resolution.

**Mr Stewart:** It is not for me to comment on policy, but such a technical arrangement would be perfectly possible.

**The Chairperson:** We can return to that issue when we get the relevant paper.

**The Committee Clerk:** That paper will outline the procedure on what will happen in the House.

**The Chairperson:** It will also explain the issues concerning clause 51, which is important.

**The Committee Clerk:** At present, that is subject to negative resolution.

**The Chairperson:** We will return to that issue.

**Mr Lunn:** Does negative resolution allow things to happen more quickly than affirmative resolution?

**The Chairperson:** Yes.

**The Committee Clerk:** The two types of positive statutory rules are when a regulation, for example, is affirmed or confirmed by the House. The House must pass a motion, but the problem is that the Minister will be there when that happens.

**Mr O'Dowd:** Am I correct that, under affirmative resolution, the House would have to pass a motion every time the ESA asked Joe Soap to do something?

**Mr Lunn:** That worries me too.

**Mr Stewart:** The Committee Clerk correctly outlined the difference. The affirmative resolution procedure provides a stronger measure of Assembly control; it means that the regulations that govern what the ESA may or may not do would not come into operation unless the Assembly had formally given its approval. The negative resolution procedure is not as strong a means of control; it means that regulations or an Order could come into force unless the Assembly voted against it. The difference is the default position in each case.

**Mr B McCrea:** Many things have to be done in the process of running a Government, among which is the making of regulations; however, it would be impractical to fill the Assembly's time with such matters. Therefore, it is right and proper to use negative resolution to deal with non-contentious issues. The essential difference in

this case is that significant issues are being discussed for the first time, and it would engender confidence and buy-in from people if, in the first instance, we used affirmative resolution. If the regulation were a sensible one, once powers had been deferred that would be the end of the matter.

My difficulty is that negative resolution, allied with a petition of concern, means that proposals could be put forward that are against the majority will of the Assembly, even if they do not run counter to the rules and regulations. That would not be constructive or helpful. The clearest and most appropriate approach, given the contentious and essential nature of our work, is affirmative resolution. Once we had gone through the process, the regulations would be on the statute book.

**Mr O'Dowd:** Now we get to the crux of the matter. He is trying to undermine the principles of the Good Friday Agreement and the St Andrews Agreement. I wondered what he was at, but now I see it.

If I am reading it right, we are being asked, under paragraph 8(4)(a) of schedule 1, to accept that the Department, by way of negative resolution, can:

“require prescribed functions of ESA to be exercised on its behalf by a prescribed employee of ESA; “

and under paragraph 8(4)(b) the Department can:

“regulate the appointment by ESA of an employee for the purposes of exercising such functions.”

Under affirmative resolution, would every such decision be subject to an Assembly vote?

**The Committee Clerk:** I will try to clarify that. Under negative resolution, an Order still has to be laid and must go through the usual statutory period. It is not a quicker process, by any means; it takes exactly the same time. The only difference under affirmative resolution is that the House must make a choice at that point; it cannot just pass the resolution. The summer period, when the House does not sit, adds a further complication in that the Assembly cannot stop a negative resolution coming into operation. Under an affirmative statutory rule, the House must declare that it is content, and either affirms or confirms the resolution.

**The Chairperson:** This is not about undermining the Belfast Agreement or the St Andrews Agreement; it is about creating confidence. The point that Basil was trying to make was that on contentious issues — and education is very contentious — affirmative resolution gives the Assembly more control than negative resolution. That is at the heart of the issue.

I do not know whether the Bill Office can provide examples of the number of times we have used negative or affirmative resolutions. I guarantee that if we examine the procedures of the House we will discover that issues of concern were dealt with by affirmative resolution rather than negative resolution.

**Mr Lunn:** I am glad that we had this discussion, because I am trying to get my head round it all. Are we over-complicating things? Whether an issue is resolved through negative or affirmative resolution, the House has the final say.

**The Chairperson:** No, it does not.

**Mr Lunn:** Tell me why not.

**The Chairperson:** Let us go back to an example of which I have slightly more experience, the draft regulations on pensions, which we discussed earlier. They can be implemented using negative resolution because recess is approaching. Some — and I say “some” to keep myself in the clear — Committee members may say that there is a problem with those regulations; nevertheless, the Department will lay the regulations before the Assembly where they will sit for the stipulated 28 days before coming into operation.

**Mr Lunn:** Can Members challenge them during recess?

**The Chairperson:** Not until we come back in September. However, by the time that we could challenge or pray against them using a petition of concern, they would already be in force. To put it simply, the teachers would have received payments and the financial arrangements would be in place, and there would be nothing that we could do about it. That is the difficulty. I hope that I have not given a false interpretation.

**The Committee Clerk:** That is the case. There could be a prayer of annulment in September or October or at any time within the statutory period, and that would annul the statutory rule. However, it could be in operation from the end of July until the House decided to annul it.

**Mr B McCrea:** If regulations were introduced by negative resolution, a petition of concern could be made against them that one would have to win in order to overturn the decision; however, if the issue involved required a petition of concern needing cross-community support, one side might not be able to get that; it acts like a double negative. Therefore a simpler way of building trust would be affirmative resolution. If the regulations were sensible, why would anybody vote against them? They would go through on the nod, which happens quite often. For example, we take as read motions to suspend Standing Orders. However, one would wish to ensure that the will of the Assembly was respected on contentious matters.

**Mr O'Dowd:** In either case, the will of the Assembly would be respected because the rules that govern the Assembly allow for petitions of concern. If a valid petition of concern were tabled and an Assembly vote on it carried, the will of the Assembly is respected. Those are the rules that govern the Assembly.

**Mr B McCrea:** I cannot disagree with Mr O'Dowd; however, I was pointing out that when dealing with contentious issues or with matters that are being introduced for the first time, affirmative resolutions should be used to build trust. If matters are not contentious, have been on the statute books and in regular use for a long time or are merely procedural, people have fewer concerns. My position is clear, and at least we now understand the mechanism, which no doubt the Committee Clerk will explain further. Affirmative resolution creates much greater confidence, and I have no doubt that the officials will confirm that.

**Mr Elliott:** I thought that Basil had clarified things, but then John come in and put a different slant on them. With respect to petitions of concern and cross-community votes in conjunction with negative or affirmative resolutions, am I right that if there is a negative resolution to a petition of concern, even if the House voted against the petition of concern, the outcome will still be an affirmative resolution? Is that right?

**The Chairperson:** Yes.

**The Committee Clerk:** A cross-community vote must be honoured.

**Mr Elliott:** Moreover, even if there were an affirmative resolution to a petition of concern but there was no cross-community vote, the petition of concern would be negated. Is that correct?

**Mr B McCrea:** Correct.

**Mr Elliott:** Thank you.

**The Chairperson:** That explanation was even simpler than Basil's.

**Mr Poots:** If we went the route that Mr O'Dowd proposes — and he seems to be spotting reds under the bed — we would vest all power in the Minister; if we took the other route, we would vest power in the Assembly. The Minister of Education has substantial power. In the interests of public accountability, the Committee should ensure that the Assembly has as many teeth as possible to monitor the Minister's actions. If changes must be made to the membership of the ESA, the Assembly should have the clout to say yay or nay to matters of concern.

I suspect that it will not be an issue, and I suspect that most proposals will go through on the nod; however, in certain instances, that may not be the case. If the Minister has the powers that are suggested through negative resolution, the Minister will only need a particular party to sign a petition of concern to enable her to ride roughshod over the Assembly. That is not appropriate.

**Mr O'Dowd:** I do not want any Minister to ride roughshod over the Assembly or to have unlimited power; all Ministers should be accountable to the Assembly.

However, I am concerned at attempts to undermine the authority of a particular Minister. When parties raise concerns about the day-to-day running of a function of a public body, I become more concerned, because this provision is similar to clauses in the health RPA and other RPA Bills. I have reason to be concerned when members raise silly concerns about how to tie the Minister down or tie down the operation of a public body in the Assembly.

**Mr Elliott:** They are not silly concerns; they are genuine.

**Mr O'Dowd:** What is the genuine issue in this case?

**The Chairperson:** Let us put some flesh on that bone. Paragraph 8(4)(a) of schedule 1 says: "The Department may by regulations—

(a) require prescribed functions of ESA to be exercised on its behalf by a prescribed employee of ESA".

What are the possible "prescribed functions of ESA"?

**Mr Stewart:** That whole provision might be less than the sum of its parts. For example, regulations could be established to ensure that certain finance or audit functions rest with someone who is professionally qualified in that discipline. I mentioned an example briefly last week: it might be prudent to ensure that the director of children's services had responsibility for child protection and child welfare matters in the ESA. I hope that the ESA will cover that without the need for regulations, but they can be used if necessary.

**The Chairperson:** The argument is not about a particular Minister; it is about creating confidence that the process is open and transparent. Edwin made the point that, by and large, most of the provisions will be passed anyway and that it is merely a safeguard.

**Mr Poots:** Mr O'Dowd needs to calm down. This is not an underhand means of getting at a particular Minister. The Committee wants to secure as much accountability as possible for the public through the Assembly and the Committee. We will not dismiss sensible proposals from any Minister because of who that Minister is. If a proposal is submitted to the Committee or to the Assembly that is argued rationally and is in the best interests of education and the ESA, it will be passed. It is as simple as that. The Minister's identity will have no bearing. However, if a Minister submits a proposal that is not in the best interests of education, I strongly reserve the right for the Assembly to hold that Minister to account and to challenge the proposal. We should not leave ourselves open for a Minister to drive proposals through without public accountability.

**Mr O'Dowd:** In broad principle, I agree with Mr Poots that Ministers should not be able to drive proposals through. However, he needs to reread the Good Friday

Agreement and the St Andrews Agreement if he wants to create a scenario in which Ministers have no power.

My concern is not necessarily about affirmative or negative resolution; rather it is about why the members sitting opposite me feel the need, as we discuss every clause in the Bill, to find ways of preventing the Department or the ESA from taking a decision on the most irrelevant parts of the role of an organisation. If those parties are sincere in their argument, then the Committee should recommend — perhaps to the Committee on Procedures or another Committee — that the negative resolution procedure be removed from the statute book altogether, that no Department use that procedure and that the Assembly deal only in affirmative resolutions. That is really what you are saying.

**Mr B McCrea:** I would not demur from that point of view. I agree with what Mr Poots has said, and it is right that the Members of the Assembly should have the opportunity to express their views. There is a diversity of views on the ESA, but there is also a requirement to get something for the ESA, and it may be possible that something like that would help to move things forward. There is no need for knee-jerk reactions or thoughts that we are trying to do something that would undermine the St Andrews Agreement.

If nine out of 10, or 99 out of 100, issues go through on the nod, that is fine, but on the issues of greater importance, surely it is important that we have discussion and buy-in. If things are pushed through against the will of large sections of the Assembly, we could end up with a process in crisis. Frankly, I am surprised that Mr O'Dowd does not understand the point that is being put forward. It is a way of trying to create a balanced view, which I believe will help us to move the bigger picture forward.

**Mr O'Dowd:** If that proposal is accepted, will you support the Education Bill?

**Mr B McCrea:** I have already signalled to the officials that our concerns are not about the ESA or streamlining or efficiencies. Instead, our issue is that there appears to be people with a particular point of view that people who we represent disagree with, and we would like to find some way of that being taken into account. If a mechanism can be found in which the democratic process works, we would be prepared to give our support. If the ESA looked like it was going to be a bit more balanced and if there was a bit more Assembly control, we could find our way round to supporting it. Is that clear enough?

**Mr O'Dowd:** No. *[Laughter.]*

**Mr Stewart:** Someone asked about the provisions in the RPA legislation for the health sector. The Health and Social Care (Reform) Act (Northern Ireland) 2009, like the Education Bill, contains a mixture of Orders



and regulations that are subject to both negative and affirmative resolution. As is the case with the Education Bill, the more commonly used mechanism is the negative resolution procedure. There are, I think, three occasions in the health legislation when it is specified that the affirmative resolution procedure should be used, and the one example in the Education Bill is similar. In all cases, that procedure is used when the regulation or Order would allow the Department to change primary legislation directly. By convention, the Department would not normally be allowed to do so without an affirmative resolution of the Assembly. Therefore, there is a consistency between the Health and Social Care (Reform) Act (Northern Ireland) 2009 and the RPA Education Bill.

**The Chairperson:** Thank you for that, Chris. It is useful that we have had this discussion today. We will request some information on affirmative and negative resolution for next week's meeting.

**Mr Lunn:** I do not want to hold up proceedings as I know that we have a lot to do today. However, I cannot remember ever hearing anyone argue against the principle of negative resolution. Until today, I had never heard anyone in any Department argue against it in relation to any subject. As far as I am aware, it is regarded as a useful tool to use to get things done.

**Mr Poots:** That is a fair point. However, if Mr O'Dowd were to say today that they would never use a petition of concern to negate a negative resolution — a double negative — that would make life a little easier.

**Mr O'Dowd:** We have just had a lengthy discussion on how democratic it is to use the affirmative resolution procedure, yet the most important piece of RPA legislation to go through the Assembly, the Health and Social Care (Reform) Act, is full of negative resolutions. So, this matter is not about a principle that the Ulster Unionist Party holds dear; rather, it goes back to my concern that it is about trying to restrict a Minister in the Executive and in the Assembly. That is why I have strong objections to what is happening.

It is also worth noting that every piece of legislation that goes through the Assembly, including legislation that is subject to the affirmative resolution procedure, could face a petition of concern. As far as I understand it, no legislation is exempt.

**The Chairperson:** Part of the difficulty is that we have one Health Service in Northern Ireland, but five providers of education. That is the reason why these issues are so difficult. It is not about the Minister; it is about the sectors that we are providing for. As I said, there is one Health Service; people do not go to a maintained hospital or a controlled hospital. If we were to go down that road, we really would be in big trouble.

**Mr O'Dowd:** Yes, but we are not discussing the principle of the Bill today, we are discussing the day-to-day running of the ESA.

**The Chairperson:** However, out of that we are having a discussion about the broader issue of positive and negative resolution.

**Mr B McCrea:** A point was made about the health legislation. As is his right, the Chairperson has summarised the issue. That legislation was not contentious.

**Mr O'Dowd:** Tell that to the DUP; it went ballistic over it.

**Mr B McCrea:** If the regulations are contentious, then people are right to say that they would like them to be subject to affirmative resolution procedure. My colleagues and I have made our reservations quite clear — if I have not done so, I apologise, but I have done my level best to be consistent and say what we are concerned about. The issue emerged as to whether affirmative, as opposed to negative, resolution would help us, and, yes, it would. I would even be prepared to consider whether — and Mr Stewart touched on this — the affirmative resolution procedure has to be used everywhere. Perhaps it does not.

Nevertheless, the issue is that where there are genuine heartfelt concerns — and I assure you that we are raising concerns that have been raised by stakeholders and in evidence given to the Committee — the use of affirmative resolution would be a positive, trust-engendering process. I will not go on about it. I will simply say that the situation with education is completely different to the situation with health. There are contentious issues in education; otherwise, we would not be spending so much time on it.

**Mr McCausland:** Chairman, in response to John O'Dowd's point, you rightly pointed out that there are many education sectors. In these Education Committee meetings, we have heard expressed passions and sensitivities that would not be heard if we were talking about any other subject. It is also worth remembering that education is the one area in which special exclusions were made to accommodate certain sectors. That shows why it is such a contentious issue and why it is important that the fears and the concerns that are genuinely felt in various sectors are taken on board as we move forward.

**Mr Lunn:** I picked up on what Mr McCrea said about the concerns that stakeholders had expressed about the operation of the negative resolution procedure. Did they express their concerns to the Committee? I cannot recall that happening. It would be too deep for most stakeholders.

**Mr B McCrea:** Just to be clear; if I did not say it, I meant to say that stakeholders had expressed heartfelt concern about elements of the Bill and the way in which



it is going forward. Mr McCausland made the point that there are concerns. I do not think that the stakeholders picked up on the issue of negative resolution. However, I think that there is a way to use this as a positive means of moving things forward.

**The Chairperson:** The issue that stakeholders raised concerned clarity, and that would include the procedures that we use to make decisions. That was, perhaps, a point that was made by stakeholders.

**Mr Lunn:** I have heard the point fairly well. However, for the record, I do not believe that stakeholders have raised the point about negative resolution specifically. In fact, today is the first time that it has come up.

**The Chairperson:** We will return to that discussion. I ask that we move on to paragraphs 9, 10, 11 and 12 of schedule 1. I would like us to reach clause 2 in the next five minutes, and we will then stop. We will not get further than that because we have to hear presentations from the Northern Ireland Teachers' Council and the Northern Ireland Commissioner for Children and Young People. I want to have this part of the meeting concluded by 12.15 pm.

Paragraphs 9, 10 and 11 of schedule 1 provide for the ESA to make standing orders regulating its own procedure and that of its committees; to deal with the validity of its proceedings and the decisions of its committees in certain eventualities; and to deal with the application of the ESA seal, the execution of documents and the service of documents on the ESA. Members who were present at last week's meeting indicated that they were content with those paragraphs. Does any Member who was not present last week have any comment to make? OK, there are no comments. As I said, remember that we will have a chance to go through all this again in the report.

That brings us to paragraphs 14, 15 and 16, which provide for the funding of the ESA by the Department of Education and the Department for Employment and Learning; prevent the ESA from borrowing money; and require the ESA to keep proper accounts and to provide those accounts to the Department of Education, the Department for Employment and Learning and the Comptroller and Auditor General. Do Members have any views on those paragraphs? Members who were present last week indicated that they were content with them; obviously, those who were not present may comment now if they wish to do so. Again, not to rush the issue, but I assume that such provisions are standard.

Paragraphs 17 and 18 of schedule 1 provide for the ESA to send an annual report to the Department of Education and the Department for Employment and Learning and for the laying of that report in the Assembly. They also provide for such other reports and returns that the Department of Education and

the Department for Employment and Learning may reasonably require. Again, Members who were present last week indicated that they were content with those paragraphs.

Paragraph 19 would add the ESA to a list of organisations whose members are disqualified from serving as MLAs. Members will recall that the Committee sought legal advice on that, which it considered at its meeting on 27 May. At last week's meeting, Members were encouraged to refresh their knowledge of that legal advice. Copies of it are available if Members do not have a copy in front of them.

As I understand it, the legal advice was that without paragraph 19 there would be no legal impediment. The legal advice on conflict of interest was broadly that an MLA declaring his or her membership of the ESA might be compared to an MLA declaring his or her membership of an education and library board. The question is whether the overarching nature of the ESA makes a difference. Do Members consider that a declaration of interest is sufficient, or would it be preferable to rule out the possibility of such conflicts of interest arising, as paragraph 19 would do? What are Members' views on that? Were any views expressed on it last week?

**Miss McIlveen:** The Committee was mindful that many members were absent, so it felt that it would be better to return to the matter at today's meeting.

**The Chairperson:** Rather than open up that discussion now, perhaps it would be better and wiser to make this the finishing point for today and pick the issue up again at a later meeting. I am minded to say that Friday's meeting might last a lot longer than planned. If members can stay for longer on Friday, we will arrange a working lunch and continue to work our way through the legislation. We might also have to look at scheduling additional meetings. Therefore, are members happy if we stop at paragraph 19?

*Members indicated assent.*

**Mr O'Dowd:** It is worth pointing out what was said earlier about how the ESA board will have an intensive workload and will require more members. I cannot imagine how any MLA thinks that he or she would have the time to sit on it.

**Mr Poots:** They probably would not have the time. I do not think that it would be wise for MLAs to sit on the board of the ESA, but should they be excluded from doing so?

**The Chairperson:** This is a personal anecdote: I remember that when I was a member of the Fire Authority for Northern Ireland, I had to resign in order to stand as an elected Member of the Assembly. I did not see that as being incompatible for the simple reason that I felt that one was becoming a part of a body which,

through the Committee structures, has the power to oversee the work of the Department of Health, Social Services and Public Safety, to which the Fire Authority was accountable. I did not see an issue around that. However, other members might have different views.

**Mr Lunn:** I cannot help thinking that, given the present circumstances and the quite unjustified discussions about double and triple jobbing, the Committee would look a bit foolish if it insisted on a change to legislation to allow MLAs to take on a very onerous extra position. On a practical level, it seems inconceivable to me.

**The Chairperson:** We will draw this meeting to a conclusion, and I thank Chris and Jeff for attending.

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# NORTHERN IRELAND ASSEMBLY

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## COMMITTEE FOR EDUCATION

26 June 2009

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### EDUCATION BILL (NIA 3/08)

#### Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)  
Mr Dominic Bradley (Deputy Chairperson)  
Mrs Mary Bradley  
Mr Nelson McCausland  
Miss Michelle McIlveen  
Mr John McCallister  
Mr John O'Dowd

#### Witnesses:

Mr Jeff Brown                      }  
Mr Chris Stewart                } Department of Education

**The Chairperson (Mr Storey):** I remind members that our proceedings will be recorded by Hansard, and we welcome Hansard staff to the meeting. We will enjoy ourselves over the next few hours. I welcome Chris Stewart and Jeff Brown from the Department. For John McCallister's benefit, who, I know, has been briefed by the Committee Clerk, we have a duty to work through the Bill, examining it meticulously clause by clause and schedule by schedule so that we can raise concerns and issues.

Last week, we agreed that we would try to make decisions on clauses based on information available to us at this time so that we can give the Clerk and his team clear instructions to prepare a draft report over the summer recess. The Department may provide additional information or amendments, and we could revisit an issue. However, assuming that the Department's position remains the same, at least the Committee will have a useful draft report to work on in September.

Before continuing our scrutiny of paragraph 19 of schedule 1, members may wish to consider briefly an issue previously discussed regarding the composition of the membership of the education and skills authority (ESA) and whether it could, or should, be representative of

the community served by the schools and whether that could be reconciled with appointment purely on merit.

Chris Stewart and Jeff Brown can respond to any issues or concerns that the Committee raises. Are members content for Chris and Jeff to assist us this morning?

*Members indicated assent.*

**The Chairperson:** The officials referred to the informal advice from the Commissioner for Public Appointments. It states that the code of practice for ministerial appointments could enable the Minister to ensure that ESA members who are appointed purely on merit are broadly representative of the communities that are served by the schools for which the ESA is responsible. Some members considered that desirable to ensure public confidence in the ESA, bearing in mind the segregated nature of most of our schools.

The Minister's letter of 17 June 2009 states:

"I recognise that it will be important for the ESA membership to have the trust and confidence of the educational interest of the broader community. With this in mind, the appointment arrangements will reflect the need to ensure balance in so far as this is compatible with the Commissioner's code of practice and the merit principle. My officials will liaise closely with the Commissioner's office to ensure that the best practice is followed."

I refer members to the note from the Clerk, which accompanied the code of practice. Chris, do you have a comment on that?

**Mr Chris Stewart (Department of Education):** I draw a distinction between a balanced membership and a representative membership, which are two different concepts. Our view, and the informal advice of the commissioner's office, is that it is possible to reconcile the merit principle with the need to ensure a balanced membership, or, perhaps more accurately, the need to ensure that there is not an unbalanced membership. That is quite different from taking proactive steps to ensure that there is representative membership of a particular composition; that is a different policy objective and not one that features in the arrangements for the review of public administration (RPA).

**The Chairperson:** I draw members' attention to the Department's response on the Minister's thinking about the number of members of the ESA, which says that the information will be forwarded to the Committee as soon as it becomes available. That does not suggest any great sense of urgency. Is there any update on the Minister's thinking on that?

**Mr Stewart:** Not as yet.

**The Chairperson:** Do members wish to propose amendments to paragraph 2 of schedule 1 and its proposed ESA membership of a chairman and not fewer than seven or more than 11 other members? That issue was raised by Trevor, and we are merely revisiting it. If, for example, the Committee proposed to change the number of ESA members to between 20 and 25, we would want

the Department's powers to amend paragraph 2 of schedule 1 accordingly and make it subject to positive Assembly approval. We have already discussed that necessity. Do members agree?

**Mr O'Dowd:** No.

**The Chairperson:** A majority of members agree. In light of what the officials have said and the code of practice, do members wish to propose any amendments or additions to the appointments provisions at paragraph 2(a) and 2(b) of schedule 1, or are you content with it as is?

**Mr D Bradley:** I am content to leave it as we outlined.

**The Chairperson:** OK. I refer members to paragraph 19 of schedule 1, where we left off last week. Having heard stakeholders' concerns and the Department's response set out in detail in the spreadsheet, the objective of this meeting is to obtain maximum clarity on members' views on two areas. The first is whether they are content with the clauses or what amendments, if any, they propose. Members may wish to express such amendments as proposed changes in principle, suggested rewording or additional wording in individual clauses. Secondly, what further information or clarification, if any, they wish to have as a matter of urgency from the Department or stakeholders, which may meet our concerns. The departmental officials are here to answer members' questions.

Paragraph 19 deals with Assembly disqualification. It would add the ESA to a list of organisations whose members are disqualified from serving as MLAs. Members will recall that the Committee sought legal advice on this matter, which it considered at its meeting of 27 May 2009. Members were encouraged at that meeting to refresh themselves on the legal advice, copies of which are available.

The legal advice was that, as I understand it, without paragraph 19, there would be no legal impediment. Moreover, the legal advice about conflicts of interest was that, broadly, an MLA serving on the ESA and declaring membership of the ESA might be compared to an MLA declaring his or her membership of an education and library board. Does the overarching nature of the ESA make a difference? That is one of the questions that we have to consider. Do members consider that a declaration of interest is sufficient, or would it be preferable to rule out the possibility of such conflicts, as paragraph 19 does? Are members minded to accept paragraph 19 as is, or does anyone wish to amend it?

**Mr O'Dowd:** We are happy for paragraph 19 to remain as it is and that MLAs be disqualified from membership of the education and skills authority.

**Mr D Bradley:** Given the possibility for conflicts of interest and that the Committee has a role in scrutinising

the education and skills authority, I am happy for paragraph 19 to remain as it is.

**Mr McCallister:** It would be another way of preventing a member of the ESA standing for election as an MLA and then leaving the ESA.

**The Chairperson:** I was a member of the Fire Authority, which has responsibility for the Northern Ireland Fire and Rescue Service, and since one cannot be a member of the authority and of the Legislative Assembly I resigned from the authority to stand as an MLA.

**Mr McCallister:** Did you have to stand down from the Fire Authority to stand as an MLA or did you wait until you were elected?

**The Chairperson:** I had to stand down to stand, so to speak.

**Mr McCallister:** I thought that there was time enough if someone was elected.

**The Chairperson:** I thought so at the time, but I resigned before I stood as an MLA. I was taking a risk, I suppose.

**Mr McCallister:** That is another concern. Has that been made clear? Would a member of the ESA be allowed to seek election as an MLA and then stand down, or would he or she have to go as soon as they announced their candidacy?

**Mr Stewart:** That is a question for the legal advisers. I suspect that the legislation is such that it would be necessary to resign before seeking election.

**The Chairperson:** As I recall, that was the process that I had to use. That is noted as a concern.

**Mr McCausland:** It simply says that an MLA cannot be a member of the Fire Authority. You would not become an MLA until you were elected, so it would not kick in until that point.

**Mr Stewart:** It is actually the other way around. It is not that you cannot be a member of the authority if you are an MLA; it is that you cannot be an MLA if you are a member of the authority.

**Mr McCausland:** Well, it could be worded the other way.

**Mr Stewart:** It could, except that it is not education legislation; it is the Assembly Disqualification Act 1975. That is overarching.

**The Chairperson:** Paragraphs 20, 21 and 22 of schedule 1 make the ESA subject to the Ombudsman and the Freedom of Information Act 2000 and set out that the financial year ends as 31 March. Members present at the Committee's meeting on 19 June 2009 indicated that they were content with these paragraphs. Are members content?



*Members indicated assent.*

**The Chairperson:** We move to clause 2 “Functions and general duty of ESA”. We are doing well; it has taken us two meetings to get to this stage.

**Mr Stewart:** Fifty-three to go, Chairman.

**The Chairperson:** It will be a long summer.

Clause 2(2)(b) deals with youth services. Members were earlier informed of a probable departmental amendment that would help to address some of the stakeholders’ concerns regarding the perceived importance and scope of youth-service work and its intrinsic role in education. That was confirmed in annex c of the Minister’s letter of 17 June. Is there further information on that, Chris?

**Mr Stewart:** We do not have an update, but I can confirm that the scope of the amendment that is being considered is to make clause 2(2)(b) look much more like clause 2(2)(a). I cannot give you the precise wording today, but I imagine that it would be very close to the wording in the first half of clause 2(2)(a) from “to contribute” to “by ensuring”, followed by “the provision of efficient and effective youth services”. Clause 2(2)(b) is a little bald as it stands; it does not give a clear indication of the purpose and contribution of youth services, in contrast to the comprehensive description of children and young persons services in clause 2(2)(a). We want to strike a balance.

**The Chairperson:** Members present at the Committee meeting on 10 June indicated that they were content with the other duties of the ESA as set out in clause 2(2). Officials said that, in response to Comhairle na Gaelscolaíochta’s concerns and suggestions, the Minister proposes to amend the Bill to incorporate a duty on the ESA to encourage and facilitate Irish-medium education in similar terms to the existing statutory duty. However, there was no amendment of clause 2 in annex c of the Minister’s letter of 17 June. Chris, do we have any further information on that?

**Mr Stewart:** Not as yet, but I imagine that the wording would be almost identical to the statutory duty on the Department in article 89 of the Education (Northern Ireland) Order 1998.

**The Chairperson:** I am not speaking in my capacity as Chairman in this instance but as a member. Chris, you will be aware that we have a serious concern about giving further protection to any sector. The purpose of the ESA was to ensure that all sectors were treated equally and fairly. I raised the issue in the House on Tuesday that there is a disparity — an inequality — in the legal provision, whereby the Department of Education has a duty under article 89 of the Education (Northern Ireland) Order 1998 to encourage and promote integrated and Irish-medium education.

That is a concern, because there is no further information about how that will happen. Does the Minister intend to submit information about that to the Committee?

**Mr Stewart:** Yes. The Minister would like the Committee to see the precise wording of all amendments that she proposes; we are not trying to hide anything to do with that amendment. I believe that the wording will be simple and straightforward, and, except for substituting “the ESA” for “the Department”, it will be the same as that of the existing statutory duty.

**The Chairperson:** To be fair to Comhairle na Gaelscolaíochta, I draw members’ attention to the organisation’s letter, which, although it was posted on 11 June 2009, appears not to have reached us until now. I do not know what happened to that correspondence —

**The Committee Clerk:** The Deputy Chairperson may be able to throw some light on its contents; however, the letter seems to have gone astray.

**The Chairperson:** Nevertheless, we are now in receipt of the correspondence, which deals with those issues.

**Mr D Bradley:** I was aware that Comhairle na Gaelscolaíochta intended to write to the Committee, and I am surprised that we did not receive the correspondence earlier. In any case, it is here now. It asks the Committee to continue to liaise with the Department on several points, including the ESA’s legislative requirement to encourage and facilitate Irish-medium education — the point that we have just been discussing — an amendment to the Bill to enable Irish-medium trustees to be recognised as submitting authorities for the purpose of submitting employment and management schemes; an amendment to oblige the ESA to have regard to the needs of Irish-medium pupils when giving effect, under clause 26(2), to its duties in respect of the curriculum; and an amendment that obliges the ESA to ensure that its Irish-medium governor nominees are committed to Irish-medium education. Those are the four main points.

**The Chairperson:** We have already agreed to forward that correspondence to the Department.

**Mr D Bradley:** Comhairle na Gaelscolaíochta was reasonably happy with what it considered to be a positive response from the officials to those four points. However, Comhairle asks that the Committee pursue other points with the Department, including a definition of Irish-medium education. It asks for an amendment to the Bill to include, for the purpose of education Orders, a definition of what constitutes Irish-medium provision and of what an Irish-medium school or unit consists. The present definition is for curricular purposes only; it is not definitive. In addition, Comhairle proposes new provisions for Irish-medium education in the

interests of contributing to a strategic and effective approach to the future of the sector, similar to that which in place for Catholic trustees due to provisions in previous legislation. Comhairle says that Chris Stewart referred to that matter during consultation with the Irish-medium sector on paragraph 9(4) of schedule 7, which accords consultation rights to the trustees of a school that is the subject of a development proposal. However, the Department said that proposed new article 14(6) to the Education and Libraries (Northern Ireland) Order 1986 — which will be introduced by paragraph 9 of schedule 7 of the Education Bill — is relevant to the amendment that was requested by Comhairle na Gaelscolaíochta. Notwithstanding Mr Stewart's comments, under proposed new article 14(6), it seems clear that senior Catholic trustees will have a consultative role in the establishment of new Catholic maintained schools, and Comhairle refers to proposed new article 14(6) in the 1986 Order, which is found in paragraph 9(4) of schedule 7.

Comhairle says that, according to that provision, senior trustees will be consulted on a development proposal to establish a new Catholic maintained school in their diocese and says that it is important that that consultative role be accorded to the Irish-medium sector to ensure its strategic welfare.

Those points are contained in a letter that the Committee Clerk will forward to the Department.

**The Chairperson:** We have agreed that already.

**Mr D Bradley:** Comhairle is happy that some of the points that it raised have been addressed satisfactorily but thinks that others require further attention.

**Mr Stewart:** We are happy to consider that. I have not seen the correspondence that members are discussing, but if Comhairle or the Committee wishes to forward it to us, we will be happy to consider it.

**Mr McCausland:** The Irish-medium sector says that the Catholic maintained sector has a right, if that is the appropriate term, which is not afforded to it. Does that apply to all other sectors?

**Mr Stewart:** The same argument could be made. I understand where Comhairle is coming from. Some of the provisions that it is pointing to that refer to the Catholic trustees are amended versions of provisions that referred formerly to the Council for Catholic Maintained Schools (CCMS). There is perhaps an issue about whether some of those provisions will be required at all, given that we plan to remove the definition of a Catholic maintained school.

Notwithstanding what might be decided, C na G raises a point that could be applied to any sector: if a development proposal or a new school is coming forward, is it reasonable to have a requirement to consult those who represent existing schools in that

sector? That is a point that we may need to consider. There may be scope for an amendment to introduce a similar consultative requirement that would apply to all sectors rather than to just one or more than one. We would have to put that to the Minister for a view.

**Mr McCausland:** As long as there is equality across all sectors, my concerns would be addressed.

**Mr McCallister:** Like Nelson, I think that it is about equality. Talking about youth services, I declare an interest because I am still a member of the Young Farmers' Clubs of Ulster, which is funded in part by the Department of Education.

**Mr O'Dowd:** Is that not against the Trade Descriptions Act?

**Mr McCausland:** What is the age limit?

**Mr McCallister:** It is 108 or something. We will not get you in, Nelson. I am probably on my last legs in it.

I have concerns when we start identifying specific groups in the Bill such as the Irish-language sector because there is a danger of leaving somebody out or of discriminating against somebody. That is a huge concern of mine.

**The Chairperson:** Chris, it raises a fundamental question: has the Assembly power to impose a duty to encourage and facilitate Irish-medium education?

**Mr Stewart:** I believe that it does; I have not received any legal advice to the contrary.

**The Chairperson:** Is that on the basis of the statutory duties contained in the Education (Northern Ireland) Order 1998?

**Mr Stewart:** Yes.

**Mr D Bradley:** One of the reasons that Comhairle na Gaelscolaíochta raised the point is that despite the statutory duty, Comhairle's experience is that in many cases the Department formulated and published policies that ignored — perhaps not deliberately — the Irish-medium sector. Comhairle asks for the provision to be included to ensure that that would not be the case in future and to ensure that the Irish-medium sector is considered in all policy that is formulated by the Department.

**Mr McCallister:** That argument could be made about rural communities, given the rural-proofing agenda. That is my point: if one group is to be included, all need to be included.

**The Chairperson:** That is why we need to see the amendments that the Department is considering before any decision is made.

**Mr Stewart:** That is certainly an issue that we need to look at. One issue that we considered for the second Bill, which I hope to be able to bring to the Committee

within the next couple of weeks, is the clauses on area planning. In those clauses, we needed to find a way to make specific reference to, and provide a role for, each of the sectoral organisations, and we have found a way of doing that. When it comes to the consultation provisions for the new article 14, we may need to look at a similar approach so that when a development proposal is brought forward there is an appropriate requirement to consult the relevant sectoral interest.

**The Chairperson:** Will that amendment come at the same time?

**Mr Stewart:** I must not get too far ahead of myself; we need to look at the scope for doing that and, of course, ask the Minister whether she feels that it is a necessary step.

**Mr D Bradley:** If my memory serves me right, the Northern Ireland Council for Integrated Education (NICIE) raised a point about the inclusion of community relations in clause 2(2)(a). Chris, I raised that matter with you at the time; have you given it any further consideration?

**Mr Stewart:** Yes, and, although we understand the thinking behind the proposal, it is still our view that it would be a duplication of the statutory duty that will apply to the ESA through section 75 of the Northern Ireland Act 1998. Therefore, it would not add anything to the expectation and the public duties that apply to that organisation.

**Mr D Bradley:** I would like it noted in the Committee's report that that issue was raised.

**The Chairperson:** OK, Dominic.

Our difficulty is that, on the one hand, everyone is telling us about the urgency for us to move on and complete our deliberations, but, on the other hand, there does not seem to be any urgency on the part of the Department or the Minister to send us the amendments so that we can look at them and decide whether to agree them. I know what will happen: when other issues are raised as a concern, an allegation that the Committee dragged its feet will be made. We have been asking for information and looking for amendments, and in a wheen of minutes we will discuss one for which we have been waiting on information for months.

There is a need for urgency, and the Committee is not trying to drag its feet. Committee members want to keep moving forward, but we can only do that with information; we will not make decisions in the dark, and we will not make them when we are blindfolded. Everyone — the Minister, the Department and the Committee — needs to realise that there is a need for urgency.

**Mr Stewart:** I understand that and want to assure you that there is a similar urgency on the part of the

Minister and the Department. In her reply to the Committee's letter of 20 May, the Minister set out her proposed amendments in broad terms. I accept that we have not yet given you the wording of the amendments, but the Minister was keen to hear the Committee's reaction to the proposed list of amendments before drafting them.

**The Chairperson:** Clause 2(3) contemplates a situation whereby the ESA will temporarily be the owner of the schools whose premises are currently vested in education and library boards pending the creation of a new statutory ownership body, and it imposes a duty on the ESA in exercising its duties to ensure that schools whose premises are not vested in the ESA are treated on the same basis as schools whose premises are vested in the ESA.

That raises the issue of what has been done for the controlled sector to give us any indication of its position. You are well aware, and have been for a considerable period of time, that there is a concern about the representative body and the ownership body. By and large, there is no real issue with clause 2(3) in that it provides for the education and library boards' ownership of the school estate to transfer temporarily to the ESA until an ownership body is established. However, that begs the questions of why it has to be done that way and why the ownership body cannot be established. Speaking as a member, not as the Chairperson, I am extremely disappointed by the Minister's letter of 17 June 2009. In that important piece of correspondence, she rules out any retention of any cohort of the education and library boards to address the concerns that were raised.

At the Committee meeting on 10 June 2009, members raised the issue of conflict of interest. Is any other thinking emerging other than that which is currently contained in the Bill?

**Mr Stewart:** No other thinking is emerging on that issue. We share your concern and, perhaps, your frustration that it is not possible to settle the future of the controlled estate and its ownership in one move rather than two. However, the reasons for that are policy-driven and are to do with practicalities. As you rightly say, policy on that area is being settled only now. The Minister's reply gave the Committee her view on what the policy should be, taking into account the outcome of consultation. Therefore, it would not have been possible to have dealt with the issue in the first Bill as policy had not been settled at that point.

Now that the Minister has made clear her policy intentions, we are in a position to draw up the provisions on the establishment of the controlled schools ownership body and its membership. Those will be included in the second Bill. We hope to bring those proposals to the Committee before summer recess. I appreciate that



that will not give you much time before summer recess to have an initial look at them, but we want to bring all, or at least as many as possible, of the provisions of the second Bill to you before you break up for the summer.

**The Chairperson:** That would be very helpful, because it would mean that we could give some consideration to the issue during the summer and that further work could be done when we come back in September. We cannot do much more at this stage, other than to express our frustration about the fact that the Minister has told us that she is working on amendments to facilitate the Irish-medium sector while we have been waiting for months and months for movement on the sectoral body working group. Between six and eight people were to have been tapped on the shoulder months ago, but that has not happened. A business case has not been produced, and the controlled sector has been left isolated from the entire process.

I am extremely disappointed, and no further progress will be made until we see the colour of money for the controlled sector. Furthermore, the fact that urgency is required makes the situation very problematic. That point must be underscored and placed on record. I express my concerns as a member, and not on behalf of the Committee.

**Mr McCausland:** The whole process of considering the Bill is flawed and inequitable. A body that speaks for the Irish-medium sector is represented. Bishops and the CCMS are represented, and the process includes representatives from the governing body for grammar schools. All those sectors have bodies pushing for them, and particularly strong views are coming from the Catholic maintained sector, the Irish-medium sector and the integrated sector. At the same time, the controlled sector is effectively deprived of meaningful input. Therefore, in that regard, the entire process is inequitable and flawed. There does not seem to be the same urgency to meet the needs of the controlled sector as there is to answer the demands of other sectors.

**Mr McCallister:** I support your position, although I question how you would guarantee that vested schools are treated in the same way as those that are not vested in order to ensure fairness and equality. I do not see how that would happen.

**Mr D Bradley:** Over a year ago, I raised the issue of Irish-medium education with Chris. With all due respect, I certainly cannot accuse him of dealing with it with great urgency. In any case —

**The Chairperson:** The point, Dominic, is that proposals and amendments are being considered for Irish-medium education. All that we have received from the Department and the Minister with regard to the controlled sector is the letter dated 17 June 2009.

By this stage in June, we have received a letter from the Minister that states:

“My Department is convening a broad consultative group of controlled sector educational interests”.

I am not sure how many months it has taken to receive that information. Therefore, if we use the timescale that Dominic mentioned, the issue will not be resolved until June 2010.

**Mr D Bradley:** I was going to finish by saying that we have already taken evidence from members of the Transferor Representatives' Council (TRC), with whom we had a long and detailed discussion on the issue. The Department is certainly aware of the concerns. Therefore, I understand members' frustration at not receiving detailed proposals from the Department.

**The Chairperson:** We have dealt with clause 1 to clause 2(3). Clause 2(4) states that:

“ESA shall ensure that its functions relating to grant-aided schools are (so far as they are capable of being so exercised) exercised with a view to promoting the achievement of high standards of educational attainment.”

What does that mean? Why is it necessary to include those words in brackets? I understand that the Department is good at drafting catch-all legislation that provides for all eventualities. The words that are contained in brackets state:

“so far as they are capable of being so exercised”.

How do those words work in reality? What is the purpose of their inclusion?

**Mr Stewart:** There is a lot less to them than meets the eye. The words that are contained in brackets were inserted on the advice of legislative counsel. Quite simply, he pointed out that the ESA will have a number of functions, as would any organisation, which could not possibly be exercised with a view to promoting high standards. For example, running its own headquarters and cutting grass are functions that cannot be exercised with a view to promoting high standards of educational attainment. It means no more and no less than that.

**Mr D Bradley:** I agree that cutting grass might not have a major impact on high standards in education. However, surely the running of the organisation's headquarters might have some bearing on it.

**Mr Stewart:** By that I mean day-to-day functions that concern the stationery order, the staff canteen, the cleaning of desks at the end of the day, and so on, which, strictly speaking, are functions of the ESA.

I agree with you, Dominic, that the operation of various headquarters functions certainly will impact on high standards of education. A director, who will be a senior member of staff, will have specific responsibility for quality and the attainment of educational standards. Clearly, all that that office and the staff who report to that individual do falls within the scope of that duty.



**The Chairperson:** If the part of the sentence that is contained in brackets were removed, it would read:

“ESA shall ensure that its functions relating to grant-aided schools are ... exercised with a view to promoting the achievement of high standards of educational attainment.”

If you insert those words and read the sentence again, it could be argued that the legislation gives the ESA an opt-out through the phrase:

“so far as they are capable of being so exercised”.

That is how I read it. The ESA could simply say that, in the exercise of its functions, it is required to promote high standards only so far as it is capable. The changes that the Bill will introduce mean, therefore, that the ESA could say that the responsibility for achieving high standards falls to the board of governors, thus lumbering them with all the responsibility.

**Mr D Bradley:** The aspiration is to achieve high standards, but, if the ESA does not achieve them, it cannot be held to account.

**The Chairperson:** Yes; that is correct. That is what worries me, and that is why I raised the issue with members. I am concerned that there is an opt-out for the ESA. All this is turning me into a civil servant but, Chris, perhaps you would explain how other duties and schedules relate to the requirement for the ESA to be able to fulfil its functions.

**Mr Stewart:** First, I congratulate you on your wise career choice in becoming a civil servant, and we welcome you to that body.

If I may say so, members are, perhaps, taking a more pejorative interpretation of the clause than it deserves. It is not an opt-out. We have no intention of drafting an opt-out. ‘Every School a Good School’ is one of the most important policies that the Department has introduced in many years. It is at the core of the RPA and everything that we are trying to do. It simply would not be in the interest of that policy, and what we are trying to achieve under it, to give the ESA any sort of opt-out. Apart from anything else, we would find ourselves having great difficulty in answering the Committee’s questions. In due course, you could ask us what we had done under ‘Every School a Good School’, how we had made improvements, or why things had not improved. If, at that point, we were to say that we hobbled the policy from the outset by not giving the ESA clear responsibility, you would not be terribly satisfied with that answer. If we thought for one moment that that clause, as drafted, gave the ESA an opt-out, we would remove those words immediately.

**Mr D Bradley:** I cannot understand why those words are included in the clause. The exercise of the function relates to high standards of educational achievement;

no one would judge grass-cutting or desk-tidying on the basis of that clause.

**Mr O’Dowd:** Will the implementation of the legislation or the intention of such clauses be outlined further in the guidance notes?

**Mr Stewart:** There is not a great deal more detail, John, in the explanatory and financial memorandum. I remind members again that those words were inserted by, and on the advice of, legislative counsel. He is a man who drafts legislation with incredible precision and caution. To ensure that the legislation means precisely what we need it to mean, he quite frequently asks us to agree to the inclusion of words and phrases that we would not have thought of. I do not think that the removal of those words would make a great difference to the outworking of ‘Every School a Good School’. However, legislative counsel would, undoubtedly, signal his concern that we had drafted legislation that was imprecise and capable of being interpreted in a way that we did not mean.

**Miss McIlveen:** Are you minded to go back to legislative counsel to say that the Committee is concerned that clause 2(4) is not definitive?

**Mr Stewart:** I am happy to go back to him and relate to the Committee any further advice he may have on that point; I can guess what that might be, if I survive my encounter with him.

**The Chairperson:** Given the concern, it is right to highlight that point and ask why those words are necessary. The reason for the concern is that the clause deals with achieving high standards of educational attainment. If it dealt with maintenance or buildings, for example, it would not be that important. However, in the middle of setting out the function of the ESA to ensure that it exercises and promotes the achievement of high standards of educational attainment, those words raise a doubt as to whether that is, in fact, required of the ESA.

**Mr Stewart:** I understand your point; however, legislative counsel may offer counter-advice and argue that clause 2(4) needs that qualification precisely because it is not about grass-cutting. Legislative counsel’s advice on statutory duties is always based on the need to make them clear and to ensure that they do not impose on any organisation a duty that it cannot meet. Counsel may argue that without those words the ESA would be under a duty to carry out grass-cutting in a manner that is calculated to raise standards of educational attainment, which, by definition, is a duty that it could not possibly meet.

**Mr O’Dowd:** I am relaxed about it. However, I doubt that reasons such as grass-cutting would stand up in an appeal hearing or tribunal.

**Mr Stewart:** Do you want to tell him or shall I?

**Mr O'Dowd:** I think that you should tell him and see what he says.

**The Chairperson:** Perhaps grass-cutting is not a good example because it misses the seriousness of the point. What about the maintenance of school buildings? It could be argued that the fact that a school has 35 or 40 mobile classrooms will impact on the educational attainment of that school.

**Mr Stewart:** You could argue that because it is a perfectly reasonable interpretation of the clause as it is currently drafted.

**The Chairperson:** Are members content for the Committee to get further clarification on clause 2(4) from legislative counsel?

*Members indicated assent.*

**The Chairperson:** Clause 2(5) states:

“ESA shall exercise on behalf of the Department such administrative functions of the Department as the Department may direct.”

Members should go over clauses 2(5), 2(6), 2(7) and 2(8).

**The Committee Clerk:** Members may want to take on board the comments in the spreadsheet that they have been given. Until now, the Committee has raised no issues of concern about those subsections.

**The Chairperson:** Members should consult the spreadsheet, which contains a summary of the comments that organisations submitted to us. I do not think that there are any issues of concern; however, to ensure that everyone is satisfied, I ask that you glance over clauses 2(5), 2(6), 2(7) and 2(8).

Clause 2(8) states:

“In the Education Orders ‘educational services’ means services of any kind (except youth services) which provide educational benefit to children or young persons or which are ancillary to education.”

We have come up against the problem with the definition of youth services before. That remains the case, because we do not define youth services. Do they come under the term “educational services”?

**Mr Stewart:** No. They would come under their own undefined heading of youth services. The normal approach is, where possible, to define any type of service very precisely in legislation; however, there are times when it is not wise to follow that course. We have taken the middle way with educational services; we defined them, but we did so in a very broad way to allow for the flexibility of services of that type to continue to develop and evolve.

At the other of the spectrum from precise definition is the approach that we have taken to youth services; that is, not to define them at all. Again, that reflects the nature of youth services, which vary from time to time and from place to place. Any attempt to define them

in the legislation would be fraught with difficulty, because we would be forever running back to change the definition as and when a new type of youth service came along.

**The Chairperson:** The Northern Ireland Public Service Alliance (NIPSA) commented on paragraph 5(6) of schedule 1:

“the legislation should provide for secondments between ESA and a Northern Ireland department. This would allow for exchanges of experience of skills which would in NIPSA’s view benefit both ESA and the NI Civil Service departments.”

Is that the right one? Sorry, I was on the wrong page. I apologise. Do members have any further comments on that?

Let us move on to clause 3. Before moving to the wording of clauses 3 to 12, it would be useful if the Committee considered the general issues raised by some stakeholders regarding the ESA employing all staff in grant-aided schools. It would be useful to remind members where we are with the Department with those clauses.

A record and summary of the issues and the position reached with the Department is set out on pages 2-4 of the table that is attached to the Committee’s letter to the Minister of 20 May. A copy of the letter is in the members’ information pack. In addition, I would ask members to keep before them a copy of the letter from the Minister of 17 June to which I referred earlier. In that letter, the Minister, in relation to employment arrangements, writes:

“The Committee, having considered stakeholders views, has asked for the Bill to include:

- a means of giving greater clarity and certainty on the respective employment roles of the ESA and boards of governors; and
- an effective means for a board of governors to challenge an action of the ESA on an employment matter.

I recognise the concerns of stakeholders on this matter, and I have asked officials to involve stakeholders in the development of guidance and model schemes, in order to provide the necessary clarity and certainty. The committee will be aware there is already a challenge mechanism that boards of governors could avail of in article 101 of the 1986 Order.”

Members will recall that the Committee suggested that the Bill be amended to include a provision for the Department of Education to make regulations clarifying schemes of employment as set out in broad terms by the Department’s paper and as discussed on 1 April. I had understood from departmental officials that we could expect to see draft regulations at this point. Has the Department considered draft regulations that the Committee has not yet seen?

**Mr Stewart:** No, that is not the case. The Department has had some initial thinking on that matter, and I have a fairly good idea of how such regulations might look. At the moment, however, the Minister has indicated

that she has not yet heard any convincing argument that persuades her that regulations are necessary.

**The Chairperson:** Do members wish to comment before we move into the detail of the clause?

**Mr D Bradley:** That is probably one of the most controversial parts of the entire Bill. For the Minister to say that she has not heard anything that would lead her to publish the draft regulations is surprising.

You have referred to clause 8(2), “Effect of employment scheme”, which states:

“It is the duty of ESA to give effect to any decision of the Board of Governors of a grant-aided school which is taken in accordance with such a scheme.”

I think that part of the thinking behind that was that it would give comfort to people who had concerns that the ESA would in no way act against the wishes of a board of governors.

However, those with reservations have made the point that it is very difficult to take any comfort from that clause without the sample schemes.

Therefore, if we want to deal with the concerns of those people, the establishment of draft schemes in the form of regulations would be a ideal way of doing so. Those concerns have not yet been assuaged by anything that either you or the Minister have said.

**Mr Stewart:** That is a fair point. We recognise, as does the Minister, that the reassurance that various stakeholders have sought will not come about until they see the detail of model schemes. Some were seeking further reassurance in the form of regulations, which would have meant that the guidance on the model schemes might not be so easily changed by the ESA in future. The fundamental reassurance will come from the schemes themselves.

A fair amount of preliminary work has been done by the ESA implementation team on the core elements of model schemes, and within the last couple of weeks that has been shared with stakeholders. We have also asked stakeholders, particularly those who were most vociferous in raising their concerns to the Committee, to turn that initial work into the sort of model scheme that they would like to see for their sector or school and to work with the Department in the development of model schemes. We recognise that, rather than the Department simply producing schemes that stakeholders could either take or leave, it would be better if we work with stakeholders. If they can play a significant role in developing the schemes for their sectors, they will have greater confidence and reassurance, because they will have played a part in developing the arrangements that the Department will be asking them to operate.

**Mr D Bradley:** Would it not be more effective to go one step further and include those in regulations? That

would further, if not totally, reassure those with reservations about the operation of the schemes in future.

**Mr Stewart:** That is a perfectly valid view, but the Minister does not yet share it.

**The Chairperson:** I remind members of what was said on 1 April, after the evidence session with the chiefs of the education and library boards. A departmental official, I suspect it was Chris —

**Mr Stewart:** I think it was Jeff at that meeting.

**Mr D Bradley:** It will be used in evidence against him.

**The Chairperson:** I remind members of what was said then:

“Schemes of employment will outline the delegation arrangements and the detailed role of boards of governors, as covered by clauses 3 to 12. The Department recognises that various stakeholders and the Committee have outlined — particularly in recent weeks — the need for greater clarity and certainty on the detail of the arrangements and the content of the employment schemes. The Department has heeded that message.

Until now, the intention has been that the ESA would provide guidance on the required detail. However, given the concerns that have been expressed, the Minister is prepared to consider the need for subordinate legislation rather than guidance to govern the content of employment schemes. Therefore the Bill could be amended to include a provision for the Department to make regulations on schemes of employment. Such regulations could be made subject to Assembly control and most certainly would be subject to scrutiny by the Committee.

The enabling provision that could be introduced to the Bill could state that the regulations might, among other things, specify the matters that must be included in schemes of employment and the form in which such schemes must be drawn up. Moreover, it might specify the functions that must be carried out by boards of governors, other functions that must be carried out by the ESA, or functions that could be carried out by one or the other depending on what is decided by the schools and written into the schemes.”

Are you now telling us that that is not worth the paper it is written on?

**Mr Stewart:** No, I would not say that. The regime that you have described is intended from the outset to be included in the guidance for model schemes. The issue that the Minister was considering was whether we needed to go one step further and include that in subordinate legislation rather than merely in guidance. She has given some consideration to that.

At present, she is not convinced that it is necessary to take that extra step.

**The Chairperson:** Do members have any other comments? After all, we are trying to establish the context before going into the detail of the schedule.

**Mr O'Dowd:** I have again studied the Committee's evidence sessions in which concerns of stakeholders were raised and the correspondence from NICCE; they do not contain an example of how a single employing authority would undermine the ethos of a school. Without that, one is left scrabbling around in the dark,



questioning where the ethos of a school could possibly be undermined. Providing specific examples would make it easier to come to a position.

**The Chairperson:** The Committee has received correspondence from Bishop McKeown of the Northern Ireland Commission for Catholic Education. The commission is to be commended for the way in which it has presented a huge volume of documentation, but the point being made cannot be condensed into a single simple example about how the ethos of a school would be undermined by the ESA becoming the single employing authority.

Members will correct me if I am wrong, but that appears to be the general thrust. Members have all this documentation, but does it contain an example of how the ethos of a school would be undermined were the ESA to become a single employment authority? We do not.

One example that is given relates to the redistribution of teachers, which is an issue of concern for voluntary grammar as well as maintained schools. They question whether the closure of area school X that creates surplus teachers at a time when there are teacher vacancies in school Y would lead to the imposition of those teachers — regardless of where they come from — on school Y.

That raises the issue of whether the ESA would impose such a decision on the grounds that it was in the interest of education and whether board of governors have no powers to resist the move and must accept it as a *fait accompli*. That example was given.

**Mr Stewart:** It was; but I cannot remember whether, at the time, we were able to offer the reassurance sought. However, the Department's reassurance would be that the ESA, like any publicly funded authority or service, would try to minimise the scope for compulsory redundancy and maximise the opportunities for the redeployment of teachers.

That notwithstanding, the effects of the guidance and of the employment scheme would be that no member of staff — teaching or non-teaching — could be imposed on any school. No member of staff would be employed to work in any school without the active decision, much less consent, of a board of governors to employ that person.

**Mr D Bradley:** Page 5 of the documentation supporting the commission's submission contains a reply to the Department's response to the submission of NICCE, which states:

"To allege that the new arrangements do not involve any real or practical loss of autonomy as boards of governors will remain responsible for the exercise of employment functions we are advised is legally incorrect and misleading."

The commission goes on to outline five ways in which it believes that the powers of boards of governors are

circumscribed. The commission's words that it is advised that it is "legally incorrect and misleading" to say that the new arrangements do not involve "any real or practical" loss of autonomy are fairly strong.

**Mr Stewart:** I disagree with the statement in the NICCE's document. Our advice is that the evidence given to the Committee is both legally sound and not misleading. The commission's lawyers have outlined areas in which the activities of boards of governors are, as they see it, constrained. In effect, they point out that the actions of boards of governors must follow the rules agreed with the statutory education authority that is responsible for the education of 300,000 children and the expenditure of £2 billion. For the commission's lawyers to argue that any employer or any part of the education system should not be responsible to, and accountable to, the statutory education authority and, through it, to the Minister and the Assembly, is an unusual approach.

**The Chairperson:** Members will recall that the Committee heard from the chief executives of the education and library boards on 1 April. David Cargo, the chief executive of the Belfast Education and Library Board, said:

"Certain consequences flow from being an employer that must be clearly identified in the Bill. There is potential for those to be included in the Bill, but the heading of the clauses relating to employment and the ESA refers to it as an "employing authority". That has been part of the problem over the past 20 years in our dealings with boards of governors on employment issues. Boards of governors often claim that they are the employer and that the education and library board is only the employing authority; however, we have never been able to get legal clarity about the difference, and we were looking forward to that being provided by the Bill."

Following that, the Committee obtained legal advice on the employer/employing authority distinction, which highlighted that the Department, in relation to CCMS, has, indeed, made regulations clarifying who the appropriate respondent was, and they have ended up in an employment dispute, which has resulted in litigation and confirms CCMS's right to be joined in any proceedings brought against the governors of a Catholic maintained school.

Other stakeholders, such as Comhairle na Gaelscolaíochta, the Northern Ireland Council for Integrated Education, the North Eastern Education and Library Board, the Ulster Teachers' Union, the Irish National Teachers Organisation and the National Association of Schoolmasters and Union of Women Teachers welcomed the concept of a single employer of all staff. Clause 3(1) states:

"All teachers and other persons who are appointed to work under a contract of employment on the staff of a grant-aided school shall be employed by ESA."

I am making some summary points and not going into any detail. Clauses 4 to 8 provide for a system of employment schemes. An employment scheme is to be



prepared by the submitting authority of every grant-aided school and submitted to the ESA for approval.

Members should bear all that in mind. If members are not satisfied with the Minister's proposals to involve stakeholders in the development of guidance and model schemes in order to provide the necessary clarity and certainty, do members wish to propose their own amendments; for example, enabling provisions for regulations? Members may wish to consider whether such regulations shall be subject to affirmative or negative resolution by the Assembly.

Bearing in mind your response to Dominic's question, Chris, would it not be easier to put that into regulation rather than create doubt about the operation of guidance and model schemes?

**Mr Stewart:** It is difficult for me to speculate on what action, if any, we might take that would influence the views of stakeholders on our motives. It is no more easy or difficult to put those matters into guidance than it would be to do so in regulation. The issue is one of policy, and the Minister's current policy is that regulations are not required.

**Mr O'Dowd:** The key phrase is "at the moment". We remain to be convinced. This is one of several issues about which the Committee has highlighted its concerns with the Department. The document from the Commission for Catholic Education arrived only yesterday; it deserves to be studied further. Having read the material, which is written in a legal framework, it is clear that barristers and solicitors have provided their services, hopefully free of charge, to the commission.

**Mr D Bradley:** That is unlikely.

**Mr O'Dowd:** I would like another chance to study the document and then form a view whether we need regulations on the guidelines.

**The Chairperson:** Comhairle na Gaelscolaíochta, the Northern Ireland Council for Integrated Education (NICIE), the North Eastern Education and Library Board, the Ulster Teachers' Union (UTU), the Irish National Teachers' Organisation (INTO) and the National Association of Schoolmasters Union of Women Teachers (NASUWT) do not have an issue with a single employing authority. We need balance. The two basic components of the education sector — the Catholic Commission and the voluntary grammar schools, largely through either the Governing Bodies' Association (GBA) or the Association for Quality Education (AQE) — have common cause on the matter. However, the Association of Northern Ireland Education and Library Boards ANIELB said:

"The association welcomes the fact that ESA is to be the single employing authority for all grant-aided schools. It was on this understanding that the association supported the establishment of ESA."

ANIELB refers to the NEELB response to the Education Bill, and adds:

"However, the current vision of ESA is far removed from what the association originally envisaged."

That is another view on the matter. In light of those facts and of the correspondence that we received from the AQE and the Catholic Commission, it would be useful to study clauses 3 to 12 as well as the issues and concerns raised by the Committee evidence sessions to date. I am happy to take members' concerns as we go through the clauses.

Could the Committee agree that would be happy, in principle, with regulations that would provide clarity, certainty and confidence? Those are the three words that organisations such as the GBA or the AQE use. I do not say that that binds the Committee or that it commits it to agreement that there must be regulation. However, could the Committee agree in principle to the need for such regulation to provide clarity, certainty and confidence?

**Mr D Bradley:** If those issues are not resolved, we will have a train wreck further on with this Bill; if regulations avoid that, they would be a positive contribution to our work on it. However, Chris said that the Minister is not minded at present to provide regulations. I appeal to her to review her stance and look to the usefulness of regulations in providing a way forward on those controversial issues.

**Mr McCausland:** I was loath to use the term "train wreck". Now that Dominic has used it, however, I must say that there are many issues that could create such a wreck. I am sure that that will be relayed to the Minister.

**Mr O'Dowd:** Regulation is an option; however, as I understand it from Chris, the Minister is not yet convinced. That means that discussion is ongoing; she is reviewing and exploring the possibility. Regulations are an option that can be used to convince those who wish to be convinced.

**The Chairperson:** We should bear in mind the three words that constantly recurred: clarity, certainty and confidence. We could establish a principle that regulations are the best option for dealing with stakeholders' concerns. C na G spoke of clarity, certainty and confidence, as did the controlled sector, the commission, and the Association for Quality Education. However, the Minister remains to be convinced. In principle, the Committee can agree that regulations are a solution.

I do not want to walk members into any particular view, only to agree that, as a broad principle and to resolve this and other issues, we suggest that regulations can be used to find a resolution that creates clarity, certainty and confidence. I feel like a minister of the Church, using alliteration. I am happy to stress all the Cs. Are we agreed?

*Members indicated assent.*

**The Chairperson:** We are doing well; it is 12.05 pm and we are already on page 2. Is there any chance of our getting to clause 20 today?

Clause 3(1) is the underlying principle of this part of the Bill. It reads:

“All teachers and other persons who are appointed to work under a contract of employment on the staff of a grant-aided school shall be employed by ESA.”

Clause 3(2)(a) defines “the submitting authority”, as the trustees of the school, in the case of a Catholic maintained school and, in the case of any other grant-aided school, as the board of governors of the school.

I will return to the diverse views on the submitting authority in a moment. On the one hand, the Irish National Teachers’ Organisation’s view is that all boards of governors, without distinction for superior ethos, should be submitting authorities; on the other hand, the Northern Ireland Council for Integrated Education welcomes the recognition in the Bill that the owner/trustees will have a key role in determining the schemes of employment and management of each Catholic and grant-aided school. It said:

“Again, this is essential if owners/ Trustees are to fulfil their right/ duty to ensure that the ethos and defining character of a school are sufficiently recognised and presented.”

The Minister’s letter of 17 June confirmed that:

“An amendment is proposed to this clause, to redefine the submitting authority in all cases as the owners or trustees of schools, with an option to delegate the functions to boards of governors. This reflects the views of a number of stakeholders, who suggested that school owners should be given the submitting authority role, so that they can ensure that the ethos of the school is reflected appropriately in the schemes of management and employment.”

Members should note that the Minister’s letter of 17 June states that the controlled sector ownership body:

“should not have any other functions, such as nominating governors, encouraging boards of governors to take ownership of schools, developing ethos, area planning, or acting as the submitting authority for schemes of management or employment.”

Chris, can you explain how those two approaches can be reconciled?

**Mr Stewart:** The thinking behind the clause and, more particularly, the amendment is to ensure that those who have responsibility for fostering and developing ethos in a sector or in a group of schools can set the arrangements for employment. That is in direct response to the concerns of some stakeholders, particularly the Irish-medium sector and the Commission for Catholic Education, that the RPA arrangements would somehow threaten or undermine ethos.

The net effect that we seek from the clause is that boards of governors, which will largely be appointed by the trustees of schools, will operate employment

arrangements that will be drawn up by the trustees of schools to appoint staff to schools that are owned by the trustees. Particularly in response to the concerns that the Commission for Catholic Education raised, we contend that the clause, as suitably amended, would address that issue. We see no threat to ethos from any aspect of that.

As is so often the case, we face a particular difficulty in ensuring equality and parity of treatment for the controlled sector in this instance. That is not because we do not want that; it is simply because of the constraints under which we have to work. If it were possible to have a controlled school ownership body that was representative in nature, it might be possible or appropriate to assign the submitting authority function to it.

The difficulty with that is that the controlled school ownership body must be a statutory body, and we cannot establish a statutory body with the sort of membership that stakeholders want. Therefore, it is inappropriate to give the controlled school ownership body submitting authority responsibility. We need to get that sector to the same place as the other sectors, but by a different route.

The different route that we propose is that the submitting authority responsibility for controlled schools will lie with the boards of governors. We propose that boards of governors may choose to have the controlled school representative body act on their behalf and draw up the schemes of management and schemes of employment, but that, formally, the submitting authority will be the boards of governors.

Some might argue that that arrangement is different from the arrangements that will apply to other sectors. The arrangement is different in law, but it would get the controlled sector to the same initial policy objective by a different route. The group of people who are responsible for fostering and developing the ethos of the sector will draw up the employment arrangements that will operate in that sector.

**The Chairperson:** That is contrary to the Minister’s letter of 17 June, which states:

“An amendment is proposed to this clause, to redefine the submitting authority in all cases as the owners or trustees of schools”.

However, in the controlled sector, that is not the board of governors.

**Mr Stewart:** You are correct; that sentence is inaccurate. The responsibility for having drafted an inaccurate sentence for the Minister’s letter rests with me. The sentence should have a caveat that different arrangements would have to apply for the controlled sector.

**Mr McCausland:** All that is predicated on the assumption that the legislation cannot be changed to sort out the issue of a statutory body.

**Mr Stewart:** That is correct.

**Mr McCausland:** It is not good enough to cave in and sweep that issue aside at this stage. Rather than finding a way around the problem, the priority should be to fix that problem and get genuine equality across all sectors. The notion that it is down to governors, who could ask such and such and who might or might not make a certain decision, is nonsense. Either there is equality for everyone or we are closer to a train wreck than people recognise.

We have highlighted that as a core and crucial issue, but the Department runs around fixing this, that and the other for everyone else. The core issue for the controlled sector, which is one of a few train-wreck issues, is simply fobbed off. The Department is not giving us the same level of attention and concern as it is giving other sectors. The more I hear, the angrier I get. It is unfair to schools and children in the controlled sector.

**The Chairperson:** To compound matters, having had the Bill at this stage for all these months, the Minister now states:

“My Department is convening a broad consultative group of controlled sector educational interests, including educationalists, the TRC, and community representatives.”

We do not know all that that group will entail, and we do not know when it will meet — it could be days, weeks or months.

**Mr Stewart:** The group will meet in the next seven days; in fact, the meeting will be held next Friday.

**The Chairperson:** So the meeting has been arranged?

**Mr Stewart:** Yes.

**Mr McCausland:** Am I correct in thinking that the group's first meeting will take place in seven days' time?

**Mr Stewart:** Yes.

**Mr McCausland:** Therefore, it will take place after the Committee's final meeting before the summer recess. Those of us who have a particular interest in that sector know absolutely nothing about it and do not have a clue what is happening.

**The Chairperson:** It is even worse than that, Chris. To use a metaphor, it is like pulling the pin out of a hand grenade, throwing it among all the people who have an important role to play in the controlled sector and saying “Make sure that the door is open for you to run out before it explodes”. Please do not take any of this as a personal attack, Chris. However, there are mistakes in letters that have been sent to us, and the Minister is telling us that she is not prepared to make

any move to retain a cohort of education and library boards to address a fundamental issue; treating the schools that educate 95% of the Protestant children in Northern Ireland with fairness and equality.

The same Minister tells us that she has been working on amendments for the Irish-medium sector. None of us has said that we are not prepared to look at those, but that has all been happening while this train has been coming down the track for months. We have talked to you about it before, but nothing has been done. You could say that it is up to that group or that body, but the controlled sector does not have a body like all the other sectors. Frustration continues to build around this issue.

**Mr Stewart:** I understand that. Let me reassure you that I do not interpret any member's comments as a personal attack. I have been doing this for a long time, and I would not fall into that trap.

**The Chairperson:** They are not, Chris; I would not do that.

**Mr Stewart:** Let me clarify one point. When you say that the Minister has been working on amendments for the Irish-medium sector, that seems to imply that we are not working on other matters. I assure the Committee that amendments requested by any one particular sector are no more or no less advanced than any other amendments. In her letter to the Committee, the Minister has indicated the list of amendments that she proposes to bring forward, but none of those amendments has been drafted yet. The drafting will get under way very shortly, certainly in the next few days. The Minister and the Department were keen to hear the Committee's reaction to the suggested amendments before we started down that road. I assure all members that we take all the concerns that you raise with us seriously and equally, and that we will work on all of those concerns to the best of our ability.

I take some comfort from the Deputy Chairperson's comment that the Department has perhaps been equally tardy on all of the matters that it should attend to. It is not the case that the concerns of any one particular sector or group of schools will be prioritised over any other. We recognise the depth of concern around the position of the controlled sector. We also recognise the need to make progress on that, and I openly accept that we could and should be further along the line than we currently are. However, that is not the result of any particular political or policy decision, rather it is because the Department has struggled to find the resources to take forward all the matters that it needs to attend to as a consequence of the legislation.

The first meeting of the consultative group will take place next Friday. The Department has written to a broad range of individuals who it feels will have an interest, and it has asked those individuals to



consider whether they know of any other individuals or groups who may want to become involved. We will get that process under way next Friday. I do not for one moment expect that we will bring the issue to anywhere near a conclusion next Friday, and we will need to work diligently on it over the summer. I hope that when the Committee returns after the summer recess things will have moved considerably further forward.

Again, I offer the reassurance that no other sector is off and running or in a more advantageous position. The Department has not made a decision on any of the business cases that have been submitted by any of the sectors.

**The Chairperson:** It would be helpful for the Committee to see who has been asked to attend that meeting.

**Mr Stewart:** Certainly; I am happy to provide the Committee with that information.

**Miss McIlveen:** The point is that those other groups have been able to submit a business case, and they have also been able to formulate arguments in relation to where the Bill is going, and so on. Therefore, the controlled sector is at a distinct disadvantage.

**Mr Stewart:** The controlled sector is at a disadvantage in that a group does not yet exist to represent it. We will do our best to remedy that disadvantage as quickly as we can, but until that group exists, it is not possible to bring forward a business case because, quite simply, there is no one to develop it.

**The Chairperson:** I wish you well, Chris. Given that the first meeting of the group will be next Friday and people are going on holidays in July and August, I suspect that there will not be a huge amount of work done, or progress made, by 1 September 2009. That is not in any way to pour cold water on the development; it is welcome, but it should have happened months ago.

In light of the inaccuracy in the Minister's letter of 17 June 2009, which was mentioned earlier, who would be the submitting authority for the controlled sector if the ESA were to become the temporary owner of the controlled estate?

**Mr Stewart:** In that instance, I think that it would still be boards of governors.

**The Chairperson:** Yes, unless the Department establishes that ownership body.

**Mr Stewart:** Yes, unless that body was established. However, against the general background that we want to increase the autonomy of all schools, I think that it would be unfair to controlled schools to leave the submitting authority responsibility in the hands of the ESA. Indeed, there would also be a degree of illogicality to that as the ESA would be submitting schemes to

itself for approval. Therefore, we would want the boards of governors to be responsible.

**The Chairperson:** The TRC visited the Committee on 22 April 2009. In its correspondence, it advised the Committee that:

“one particular function — the role of the submitting authority — presents us with a challenge in relation to the controlled sector.”

That is in the correspondence from the TRC — sorry, was it the departmental official who said that?

**Mr Stewart:** Yes, it sounded like a well-crafted phrase. *[Laughter.]*

**The Chairperson:** OK. So, the official said that and then went on to refer to two options:

“We have outlined two options that might help overcome that. The first is to place the submitting authority role directly with the board of governors, most of which will, of course, include TRC governors. The second is to place a requirement on the ownership body — if it has a submitting authority role — to consult and involve the representative body.”

Are you saying that that is still the case?

**Mr Stewart:** We advocate the first rather than the second of those two options, because it places the submitting authority responsibility much closer to those who have a direct interest in the ethos of the sector, mainly the TRC.

**The Chairperson:** Do members have any other comments on clause 3?

Clause 4 deals with employment schemes for grant-aided schools and broadly sets out what an employment scheme may and may not provide for. Some stakeholder expressed concerns that the requirement to submit employment schemes would be a bureaucratic burden and that such matters would be better dealt with centrally by the ESA.

The Department's response to the trade unions emphasised that responsibility for preparing and submitting schemes will be given to schools in keeping with the policy aim of allowing schools to determine the degree of autonomy that they wish to have over employment matters. The Department also said that model schemes could minimise the burden for some schools.

Other stakeholders highlighted that some controlled schools, including special schools, do not have fully delegated budgets, which has created inequities. The Department's response indicated that special-school funding arrangements would be considered in the context of the special educational needs (SEN) review. Have members any comments on that?

Clause 5 deals with the preparation and approval of employment schemes. Members will recall that the clause creates a duty on the submitting authorities to submit a scheme to the ESA for approval and provides



for the ESA to issue such guidance as it thinks fit, including model schemes for particular descriptions of schools, which a submitting authority shall take into account in preparing a scheme. Clause 5(4) permits the ESA to require a submitting authority to supply it with information on the extent to which its scheme differs from the model scheme for a particular type of school.

The NIPSA submission suggested that there be one scheme for all schools, which would be centrally negotiated. The Ulster Teachers' Union (UTU) favoured commonality, unless there was a very compelling reason for differences, as well as consultation with the unions if there was a difference. In its submission, the Association for Quality Education (AQE) feared a loss of autonomy for schools and increased uniformity and control.

The comments on clause 5 from the Governing Bodies Association (GBA) may be of interest to Members with regard to the content of model schemes. The GBA noted that the Minister had stated that the RPA is not about taking autonomy away from particular groups of schools, but instead it is about giving all schools the autonomy to run their own affairs. However, the GBA felt that that was not provided for in the Bill and stated that it was important to provide for that in law rather than in non-binding assurances.

It may be that the model employment schemes will provide a level of autonomy in decision-making for schools, which raises a question of how the content of model schemes is set; will it be set in the Bill, in regulations that require Assembly approval — affirmative or negative — or left to the discretion of the Department, the Minister and the ESA?

Members will recall that clause 8(2) requires the ESA to give effect to any decision that a board of governors takes in accordance with an employment scheme, which highlights the importance of the terms of the employment scheme. Members will also recall that NICIE felt that only direct employment by boards of governors would enable the ethos of its schools to be adequately maintained. I refer members to the analysis of NICIE's reply to the Department's response to the original NICIE submission on the Bill.

Members will recall that the Department's response to the Western Education and Library Board's view on clause 3 stated that:

"The delegation arrangements and the detailed roles of the board of governors will be set out in schemes of employment".

It went on to say that:

"in view of the concerns expressed, the Minister is considering the need for subordinate legislation to govern the content of employment schemes."

Earlier, I read out the comment made by departmental officials on 1 April after the evidence session with the

chief executives of the education and library boards. I will not read out that comment again, as it was recorded earlier. It may be that if a suitably robust model scheme, ensuring a high level of delegation from the ESA to particular types of schools, was set out in regulations, that would help to address some of the concerns raised by the GBA, NICIE and the AQE, provided that the schools they represent could adopt high-delegation employment schemes as of right. What are members' views on that? Perhaps I should ask Chris about this matter. There was a comment that the Minister was considering the use of subordinate legislation to govern the content of employment schemes. Is there any further thinking on that?

**Mr Stewart:** Not as yet, but the Minister will certainly be interested in the views of members as expressed today and the view expressed earlier that you felt such regulations, if properly drafted, would provide the certainty and clarity that you are looking for. The Minister will pay careful attention to that.

In relation to the potential scope of such regulations, I will illustrate one example for the benefit of members. Clause 4(1)(b) states that an employment scheme shall provide for:

"the determination of the staff complement of the school".

A number of stakeholders read that as meaning that the ESA would determine the staff complement of schools. In fact, it is not intended to mean anything of the sort. It is intended to mean that boards of governors will determine the staff complement of the school. However, if a decision is taken to go down the route of subordinate legislation, the regulations would probably include a requirement that every scheme of management shall make it the responsibility of the board of governors to determine the staff complement of the school. I would hope that that would remove any doubt from stakeholders as to where that responsibility would lie.

**The Chairperson:** Members will be content with that.

**Mr D Bradley:** One of the fears of certain sectors is that the clause is a recipe for a command-and-control approach to employment in schools. If one looks at the various paragraphs of the clauses, the ESA appears in almost every sentence, and twice in some of them. One of the fears of those sectors is that it is an iron fist tightening around the control of employment in schools, which will squeeze out all the autonomy and flexibility that exists at the moment. For example, page 5 of the Commission for Catholic Education's 'Documentation in support of Commission Submission on the Education Bill for Northern Ireland' states that:

"The Department failed to point out in their response that the ability of the Trustees to control schemes of management and employment is subject to the approval of the Education & Skills Authority ("the ESA"). This is a new development in relation to employment arrangements and one which potentially has far-reaching consequences."

How do you respond to the anxiety in some sectors that the Department will use an iron fist to squeeze out the flexibility that schools have at the moment?

**Mr Stewart:** I note that in the Hansard report of some six months ago, I was described as a reasonable chap; last week I was a Marxist guerrilla, and this week I have an iron fist. How far we have fallen. *[Laughter.]*

**Mr D Bradley:** That is not directed at you personally, Chris. The iron fist was a reference to the ESA.

**Mr Stewart:** I cannot think what we have done down the years to deserve that reputation among educationalists. Nevertheless, I recognise their concerns.

The sentence in the commission's document is one way of describing the situation about which it has concerns. In effect, it is saying that it is concerned about the fact that we will ask boards of governors to draw up rules and to stick to them, and to have those rules approved by the statutory education authority. It is our contention that that is not in any way an unreasonable thing to seek to bring about in legislation. As I said earlier, the net effect is that boards of governors will operate arrangements that the trustees of schools have drawn up to appoint staff to schools that will be owned by the trustees, and that the ability of the ESA to interfere in that process in any way will be very significantly constrained. As we have said a number of times, the net effect of that is that the ESA will be under a legal obligation to put into effect any proper decision taken by boards of governors according to the arrangements that their trustees have put in place.

**Mr D Bradley:** The commission said that the schemes formulated by trustees would be subject to the approval of the ESA. Under what circumstances would the ESA refuse to approve the schemes?

**Mr Stewart:** The ESA could do so only if a scheme were unlawful, unreasonable or so far contrary to the education policies of the Minister of the day that it could not be approved. However, the key to avoiding the occurrence of that situation, and to providing the reassurance that stakeholders might look for, is in the model schemes. If a submitting authority were to adopt a model scheme, or a model scheme with only minor amendments, there would be little or no scope for the ESA to do anything other than approve that scheme.

**Mr D Bradley:** How do you see the ESA, as a single employing authority, improving on the arrangements that we have at the moment?

**Mr Stewart:** Under the arrangements that we have at the moment, the vast majority of schools are part of collective employment arrangements already. The figures are about 84% or 86%: about 14% of schools are employers in their own right. However, we do not

have a single collective employer. We have the five education and library boards and the CCMS. Moving from six employing authorities to one offers the scope for improvements in efficiency and consistency as regards the operation of the terms and conditions of employment and the employment arrangements across the education sector. It gives us the scope for better and more effective planning of the education workforce, and for the redeployment of staff, not just in the redundancy situation that the Chairperson referred to earlier, but it gives us the opportunity for closer co-operation between schools and, perhaps, across sectors in pursuit of improvement.

The large and successful school will be in a much better position to put its arm round the less-successful school down the road to offer secondments and temporary postings of staff between schools, all of which is much easier to do with a single employer than it is under a multitude of employers.

**The Chairperson:** This is a minefield. Is the Department drafting the high-delegation model scheme that a voluntary grammar or a Catholic maintained school could adopt as of right?

**Mr Stewart:** We could do that. However, a better approach is the one that we are minded to follow, which is that the Department, or the ESA implementation team (ESAIT) on the Department's behalf, could draw up the core of the scheme — the mechanistic procedural bits at the core of it — which would set down how a selection committee or appointment committee would be constituted and convened and the procedures that it would operate. However, we would then tell the voluntary grammar sector and the Catholic education sector to take that core of a scheme and turn it into something that would meet their needs and requirements. In particular, their main concern is that those employment arrangements would, somehow, be contrary to the ethos of their sector, so we would ask them to provide us with a draft model scheme that they feel contains sufficient safeguards to protect the ethos of their sector or education type.

**The Chairperson:** Has that been done yet?

**Mr Stewart:** I believe that that request has been made informally a number of times. We emphasised that when we circulated the work that ESAIT has done so far. The Catholic commission has written to the Minister and me, and when we respond in due course, we will want to make that offer again.

**The Chairperson:** Has that offer been made to voluntary grammar schools?

**Mr Stewart:** Yes.

**The Chairperson:** The documentation that we received today from the Northern Ireland Commission for Catholic Education, and which was mentioned

earlier, is well put together. I agree with the earlier comment that the document was probably put together by a raft of legal minds. The CCMS has been used as an example of good practice regarding the operational outcome of the process. However, in paragraph 6, page 6 of the documentation, the commission says:

“The fact that a school may, in certain circumstances, be entitled to obtain their own legal advice does not change the fact that the ESA retains ultimate decision making powers. Comparison with the present system that operates in Catholic Maintained Schools and the role of the Catholic Council for Maintained Schools (“CCMS”) is also misplaced. CCMS is a Catholic body committed to ensuring the ethos of Catholic schools and directly linked to the Trustees. The ESA is a state controlled secular body with no such link or commitment save that which is contained in section 8 of the Education Bill. As already stated, the duty on the ESA contained therein is so circumscribed that the Trustees could not and will not have confidence that ESA will protect (or could ever protect) the Catholic ethos.”

How do you square that circle?

**Mr O'Dowd:** I have read that before. If you were to seek legal advice, you would not get Catholic, Presbyterian or Baptist legal advice, you would simply get legal advice.

**The Chairperson:** Some people might argue that you can get those different types of legal advice.

**Mr O'Dowd:** The ESA will have to operate under the same employment legislation as that which the CCMS and other bodies currently operate under. I do not understand why it makes any difference who seeks what legal advice or who is in control of the employment body. The ESA will have to operate under the legal framework that exists.

**Mr Stewart:** I echo what John said, and to that I would add that I understand the commission's position. In effect, the commission is saying that it could have confidence in an employing authority only if that authority overtly reflected the Catholic ethos. We are saying that we recognise the need for the Catholic ethos to be woven into the employment arrangements for Catholic schools, just as the ethos of any other type of school needs to be woven into its employment arrangements. The way to do that is through the employment scheme, and the way to address the concern is to place the authorship of the employment scheme in the hands of the trustees, as they are the people who are responsible for fostering and developing the ethos of Catholic education. As John said, the organisation that is responsible for the mechanics and the heavy lifting at the end of the process is not the key to securing the ethos of Catholic education or any other type of education.

**The Chairperson:** Ultimately, that is dependent on getting approval from the ESA.

**Mr Stewart:** Of course; again, I do not think that it is unreasonable for the Minister to conclude that the

employment arrangements for the delivery of that public service in all grant-aided schools ought to be under the scrutiny of, and subject to the approval of, the statutory education authority, which, in turn, is accountable to the Assembly through the Minister.

**The Chairperson:** Let us take an example of an employment issue. I am not picking an example from the maintained sector because of my political position; rather, I am picking that sector because this issue could be of particular concern to it. Take the example of two members of staff who cohabit without getting married. Say that the board of governors is concerned and takes one view and the ESA takes a completely different one. Is disciplinary action taken by the governors?

**Mr Stewart:** Disciplinary action up to the point of dismissal is a matter for the board of governors only. If we follow the subordinate legislation route, that is one matter for which there would be regulation. The responsibility for drawing up disciplinary procedures and for operating them is for the board of governors only.

Earlier, John made the point that anyone who discharges an employment function in education is subject to the law. There is nothing that a board of governors or employer could do or not do that the ESA could do or not do. The law is the same in all cases.

**The Chairperson:** There is still concern. For example, the North Eastern Education and Library Board said that:

“There is an issue relating to the availability of model schemes, as and when the legislation becomes operational, although it is noted that ESA retains the powers to determine the date when such schemes have to be submitted for approval. The Board assumes that these schemes/guidance are presently under development.”

**Mr Stewart:** The board is correct.

**The Chairperson:** It also raises concern that:

“The transfer of staff to the employment of ESA is a very sensitive issue for some sectors and hence the greater the clarity on this issue the easier the transition. These paragraphs should set out clearly the nature of the relationship between ESA and all grant aided schools and of the need for all grant aided schools to operate within a strategic framework as laid down in legislation.”

You would probably argue that that is the current situation.

**Mr Stewart:** We argue that that is the situation. I do not believe that the legislation lacks the clarity that some of our colleagues on the boards seem to believe.

The term “employing authority” has developed a sort of mystique, which is, at times, unhelpful. An employing authority is just that: an authority that employs. It is simpler and more accurate to refer to the ESA as “the employer”. The ESA will employ all staff in all grant-aided schools. Boards of governors are not the employer. The employer is the ESA. Boards of governors will exercise a full range of employment functions on behalf of, and in the name of, the ESA.



**Mr D Bradley:** Are there any circumstances in which the ESA, in its role as the employer, might intervene in the operation of an employment scheme which might, in some way, contravene the ethos of a sector?

**Mr Stewart:** We do not envisage that an employment scheme will allow for the ESA to intervene in its operation unless the board of governors opt for that. For example, we imagine that voluntary grammar schools, which oppose those arrangements, would want the ESA's role in employment arrangements to be as small as possible — it would rather the ESA had no role at all. Therefore, it would be limited to the very end of the appointment process or the dismissal process, if there is one; for example, issuing a contract or a notice of dismissal to a member of staff.

On the other hand, some schools, particularly small schools, may want to leave the operation of parts of the recruitment process in the ESA's hands for particular posts or classes of posts. The point is that, in all cases, that is the choice of a board of governors; not one that the ESA imposes upon it.

We have acknowledged that the area where there is the greatest potential for conflict between what boards of governors wish to do and what the ESA is able to do is dismissal.

The ESA, as the employer in law, must consider carefully a decision by a board of governors that a member of staff should be dismissed; the ESA cannot simply rubber-stamp a decision. It must examine the procedures that a board of governors has followed in arriving at its decision, and it must answer the question whether the decision to dismiss is lawful — is it manifestly reasonable?

If the ESA is so satisfied, it must put into operation the decision of the board of governors; if it is not satisfied, it must not. The lawyers have told the Department that if the ESA does not follow proper procedure, a dismissal would automatically be deemed unfair and unlawful by a court or tribunal. However, that is the only instance in which I see any scope for the ESA to intervene or take a contrary view from that of a board of governors.

If the subordinate legislation route is followed with regard to recruitment, we are likely to say in regulations that the ESA may not appoint any member of staff to work in any grant-aided school unless the board of governors has decided that that is what should happen.

**The Chairperson:** Would a school with a religious ethos employment scheme be supported by the ESA? Would the ESA as the employing body support such a school in dismissing a member of staff whose conduct

was unacceptable according to the religious but not the secular ethos?

**Mr Stewart:** Yes, provided that such a decision was lawful: a religious ethos does not allow an employer to act unlawfully. However, it is possible in law to discipline up to the point of dismissal a member of staff whose conduct interferes with the proper running of a school because that behaviour is contrary to a school's ethos.

**The Chairperson:** No doubt major issues remain about clauses 4 and 5. If members are happy, we will move along. Clause 6, "Reserve power of ESA to make employment scheme", allows the ESA to make an employment scheme for schools in certain circumstances, where, clause 6(1)(c) states:

"it appears to ESA that a scheme submitted by the submitting authority of a school as required by subsection (1)(b) of section 5 does not accord with any guidance issued by ESA under subsection (3) of that section and cannot be made to do so merely by modifying it".

The Ulster Teachers' Union expressed itself satisfied with the reserve power. Other stakeholders might be less happy with such a reserve power in light of their comments on the underlying principles in clause 3. Bear in mind the analysis of the Northern Ireland Children's Enterprise of those employment provisions.

Are members content with clause 6? In going through the clauses the Committee is trying to establish and underline the principle to which we referred earlier about where we think there might be requirement for regulation. Does any member have an issue with clause 6? I suspect, Chris, that you would say that clause 6 is a safety mechanism.

**Mr Stewart:** It is precisely that. If the core of the policy is that employment arrangements hinge on employment schemes, those employment schemes are important documents. We have to allow for the situation, hypothetical though it may be, whereby a school cannot or will not bring forward an employment scheme. There must be an employment scheme. In those circumstances, therefore, the ESA needs to be able to step in and fulfil that safety-net role.

**The Chairperson:** We now move on to clause 7.

**Miss McIlveen:** Under what circumstances would the ESA ask for a revision of an employment scheme, and does that work both ways?

**Mr Stewart:** It would work both ways in the sense that the submitting authority, for reasons of its own, might want to change an employment scheme. The ESA triggering a change would be to allow for possible changes to the law.

If employment law changes or moves on in some way that would give rise to a need to change employment schemes, that is the mechanism by which



we would do it. It is certainly not to allow for willy-nilly changes by the ESA or any attempt by it to reduce the autonomy of a school.

**Miss McIlveen:** The Ulster Teachers' Union was concerned about that being in place and that a school could change it willy-nilly.

**Mr Stewart:** Yes, a school could, but it would be subject to the new scheme being approved by the ESA, and it would be subject to any new scheme still having to be in compliance with education and employment law.

**Miss McIlveen:** There would have to be good reason for it.

**Mr Stewart:** Yes.

**The Chairperson:** The UTU was concerned, even though the Department stated:

"In keeping with the policy of maximising school autonomy, schools should be able to change their schemes of employment to reflect the ethos or if, for example, they wish to increase their role in employment matters."

Is that still the case?

**Mr Stewart:** Yes.

**The Chairperson:** As there are no other comments on clause 7, we will move on to clause 8. We had particular difficulty with clauses 3 and 8. Clause 8 requires a board of governors to give effect to an employment scheme and ESA to give effect to any decision of a board of governors taken according to such a scheme. However, clause 8(3) gives the ESA a right to require a board of governors to reconsider any decision if the ESA is of the opinion that a decision has not been taken in accordance with the employment scheme. A board of governors will be required to reconsider if the ESA is not satisfied that the result of the consideration is in accordance with the employment scheme.

The AQE submission characterised that schools will be required to reconsider a matter until they agree with the proposal of the ESA. All employer functions are delegated from the ESA and can be withdrawn it. The UTU and the South Eastern Education and Library Board (SEELB) supported the provision, but the SEELB felt that "ESA may require" should read "ESA will require" a board of governors to reconsider.

The Department's response indicated that the Minister would consider such an amendment, but advised against it, preferring to leave the ESA with discretion in minor or trivial breaches of the employment scheme. That is another contentious issue.

**Mr Stewart:** I wish that we could write the clause in plain English rather than in the language of the law. The clause states that there have to be rules for employment. The ESA and boards of governors have to stick to those rules, and if a board of governors does

not stick to them, it has to do its work again. That is the sum effect of the clause.

**The Chairperson:** Clause 9 is the "Transfer to ESA of staff employed by Boards of Governors". Although some stakeholders oppose losing employer status in principle, those who commented on clause 9, specifically the UTU and the Northern Ireland Public Service Alliance (NIPSA), were in favour. The Southern Education and Library Board (SELB) raised a concern regarding the effect of clause 9 on existing legislation establishing voluntary grammar schools. The Department's response was that the transfer provisions in clause 9 would be effective. Chris, would you like to comment on that?

**Mr Stewart:** I do not recall, in detail, the particular concern that was raised, but we are satisfied that the clause is technically correct. It will effect the transfer of all staff employed by boards of governors to the ESA.

**The Chairperson:** The SELB said that:

"Since voluntary grammar schools are grant-aided schools the Bill provides for ESA to be the employer of all their staff. The Board, being aware that certain voluntary grammar schools were established by legislation, inquired if the proposed legislation had the force to rescind legislation in respect of individual schools."

**Mr Stewart:** It does. The Assembly is all-powerful in that respect.

**The Chairperson:** The response was that

"The Department confirms that the staff transfer provisions in the education Bill will take effect for all schools including voluntary grammar schools."

**Mr Stewart:** That is correct.

**The Chairperson:** Clause 10 requires the ESA to prepare a scheme providing for the appointment of peripatetic teachers, their numbers and the purpose for which they are employed. Clause 10(2) defines the term "peripatetic teacher" and clause 10(3) requires the ESA to consult boards of governors and to take into account any departmental guidance in the preparation or revision of any such scheme.

**Mr D Bradley:** For what purposes do you envisage the ESA employing peripatetic teachers? Do they include the hospital service, home teaching or something else?

**Mr Stewart:** It could be for any such purpose; music tuition is often delivered by peripatetic teachers. Wherever there is a need for education to be delivered —

**Mr D Bradley:** This clause is simply intended to replicate the services delivered at present by the education and library boards.

**Mr Stewart:** That is right. This clause proposes nothing new.

**The Chairperson:** Clause 11 provides that boards of governors of voluntary grammar schools may continue to pay, on behalf of the ESA, the salaries of staff of a school. Boards of governors of grant-maintained or

integrated schools may continue to do so if they were doing so immediately before the transfer of employees to the ESA.

Except for schools that fall into certain categories, the budget share of a grant-aided school shall not include money in respect of salaries, etc. The AQE suggested that all schools, not just voluntary grammar schools, should be permitted to pay the staff salaries. Belfast Education and Library Board felt that one system of payment would be preferable and NIPSA suggested that all staff should be paid by the ESA on the grounds of cost-effectiveness and ensuring uniform application of pay policies. The South Eastern Education and Library Board's submission favoured a single-payment system. The National Association of Head Teachers (NAHT) felt that the removal of the staff salary element of the delegated budget ran contrary to maximising local autonomy and was a retrograde step; NAHT also raised the issue of special schools having only partly delegated budgets. We understand that that issue will be addressed by the special educational needs review and the current funding formula. Is that correct?

**Mr Stewart:** It is.

**The Chairperson:** The Western Education and Library Board and the General Teaching Council for Northern Ireland (GTCNI) said that clause 11 will adversely affect arrangements for the common-funding formula. The Department said that it intends to bring forward a substantive amendment to commit all boards of governors to have control over school budgets and salaries. CCMS supports that course.

Will there be an amendment, Chris?

**Mr Stewart:** Yes; we will bring the Committee the wording of it soon. This is one clause whereby we managed to unite stakeholders because, without exception, they all felt that we got it wrong. We acknowledge that we got it wrong. In doing one thing, we inadvertently did something that was not intended.

What lies behind the clause is an intention to allow those schools that run their own payment systems to continue to do so as they wish; it is an economy measure. Some stakeholders feel that that is wrong on policy grounds, and we note their views. However, the policy intention was merely to allow those schools that operate payment systems to continue to do so. We ran into an unintended consequence, the net effect of which, as NAHT rightly pointed out, is to remove or reduce the autonomy of controlled and maintained schools because they would no longer have control over their salaries budgets. That was not our intention; it was a mistake — our mistake, not the draughtsman's mistake. We wrongly instructed him. We recognise that and want to rectify it. The net effect that we want to bring about is that the board of governors of every

grant-aided school will have control over the salaries budget for that school and how it is spent. Regardless of who makes the actual payment, it is important that boards of governors control what is paid and to whom.

**The Chairperson:** Here, too, it is urgent that we see the detail of the amendment.

**Mr Stewart:** I accept that.

**Mr D Bradley:** What of the more detailed aspects of salaries, such as awards of promotion, allowances and so on? Does it come under management schemes? How is it paid for?

**Mr Stewart:** That would be a decision for boards of governors.

**Mr D Bradley:** Would it be under management schemes?

**Mr Stewart:** It would be under schemes of employment, perhaps, rather than schemes of management.

**Mr D Bradley:** Would it be part of the employment scheme?

**Mr Stewart:** Yes.

**The Chairperson:** We have considered clauses 3 to 12. Next time, we will consider clauses 13 to 20.

Clause 12 relates to modification of employment law. In response to the stakeholders' concerns, the Department said that clause 12 gives it unlimited powers to modify employment law in order to facilitate the operation of the employment arrangements in the Bill. The Department said that it is not aware of any need to modify employment law in that regard and has no plans to do so. Members will recall the concerns raised by the education and library boards in relation to the need for certainty and clarity about who was responsible in the event of employment litigation. Officials said that the arrangements in the Bill are modelled on the CCMS and that the Department can make specific regulations clarifying the relationship between CCMS, governors of Catholic maintained schools and employees in the event of litigation.

Do members have any issues with that, bearing in mind that it would allow the Department to make regulations to clarify relationships in the event of litigation?

**Mr Stewart:** A great deal of the evidence presented to the Committee seems to focus on litigation. Reading the evidence, one would think that boards of governors do nothing but sack staff, but I am not certain how common an occurrence it is. If there a need to modify or change legislation to address any lack of clarity, we will look at the scope for doing so. Our legal advisers stress that the question of who is responsible or made amenable if there is a complaint about an employment matter is largely for the courts or tribunals to determine. They will not be slow at joining to proceedings any

person who or body that has played a part in a decision that is the subject of a complaint. That is a decision for them, not the Department. I do not think that the courts would look too kindly on any attempt by us to intervene in that.

**The Chairperson:** Why was the regulation made for CCMS?

**Mr Stewart:** I do not recall; I was not involved at the time of that particular regulation. However, it must have been the case that it was felt that responsibilities were not clear and needed to be clarified and that regulations were brought forward to achieve that.

**The Chairperson:** We will stop at clause 12 and return to schedule 1. There is an issue that we overlooked; it is my fault that we did so in an attempt to make haste. Paragraph 7 of schedule 1 states that the ESA may establish committees. We did not revisit the issue of local committees, but the Minister's letter states clearly that:

"I do not propose to amend the Bill in this regard, as the existing clauses make adequate provision for the Committee and local structures."

Does the Committee agree with that in principle? We talked earlier about making use of regulations that would give clarity, certainty and confidence. Is the Committee happy that it would also take that issue into consideration? I said at the time that there were issues not only about the employing authority but about the controlled sector and other matters. Regulations would be useful in providing clarity, certainty and confidence, given the fact that the Minister says that she does not propose to amend the Bill in that regard.

**Mr O'Dowd:** Chris suggested that in order to change the amendment we would have to put the make-up of the committee in legislation. Although firming up the legislation might be an advantage, it may also be a disadvantage, because the ESA's day-to-day operations and what it can do with committees may be restricted.

**Mr Stewart:** I meant that the more we specify the structure of local committees in primary legislation, the more difficult it becomes to change committee memberships if the need to do so arises. If we specify a particular committee structure and, when the ESA has been up and running for, say, a year, we find that we need to change that structure, further primary legislation will have to be brought to the Assembly to do so. Therefore, it is not that the Minister in any way resists the need for clarity and certainty about the committee structure and what it will do; she simply wants to retain some flexibility while recognising that the ESA is a new type of organisation that will almost certainly have to evolve over time.

**Mr D Bradley:** That might be why other people want certainty.

**The Chairperson:** A huge number of issues has been raised, and John McCallister is at a disadvantage, so I hope that we can help him to come to grips with them. For instance, there has been much concern about the establishment of committees, what they might look like and their membership. The simple line that the ESA may establish committees is pretty bland; indeed, the ESA could decide to disestablish committees. At this stage, all we want is an idea of whether legislation would provide the clarity, certainty and confidence that we seek. The nature of the committees need not be defined specifically; however, even a broad-brush picture would be more than we have in the Bill, which is merely that the "ESA may establish committees". Are members content that regulations could provide a solution?

*Members indicated assent.*

**The Chairperson:** Thank you, Chris and Jeff.





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# NORTHERN IRELAND ASSEMBLY

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## COMMITTEE FOR EDUCATION

1 July 2009

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### EDUCATION BILL (NIA 3/08)

#### Members present for all or part of the proceedings:

Mr Mervyn Storey (Chairperson)  
Mr Dominic Bradley (Deputy Chairperson)  
Mr Trevor Lunn  
Mr John McCallister  
Mr Basil McCrea  
Mr John O'Dowd

#### Witnesses:

Mr Jeff Brown                     }  
Mr Chris Stewart               } Department of Education

**The Chairperson (Mr Storey):** I welcome Chris Stewart and Jeff Brown. Thank you for coming, gentlemen, and please accept our apologies for the delay. I remind members that the object of this meeting is to make decisions on the clauses before us today so that the Committee Clerk can provide the Committee with a meaningful draft report on which to work before September. I propose that Chris and Jeff interact with us as they have done on previous occasions, and we thank them for their assistance.

Before we continue with our clause-by-clause scrutiny, starting with clause 13, members may wish briefly to consider several issues that were discussed at last week's meeting, beginning with the composition of the membership of the education and skills authority (ESA). Issues raised included the number of members, whether the Bill should, or could, provide for the ESA membership to be representative of the community served by the schools, and whether that could be reconciled via appointment arrangements based purely on merit.

If members are content, we will ask Chris whether he has an update on the Minister's thinking on the issues raised by the Committee, particularly the number of members of the ESA.

**Mr Chris Stewart (Department of Education):** There has been no change, Chairman; the Minister remains of the view that the representative model of the ESA membership is not the correct one to pursue. However, the Minister is still considering the issue raised by the Committee about the number of members of the ESA, and she has not yet reached a conclusion on that.

**Mr O'Dowd:** Chris, I asked you before about the cost that each board member would incur: have you any further information on what each individual board member would cost a year?

**Mr Stewart:** Sorry, John, I do not have that information with me. However, as I can ascertain it fairly easily, perhaps I could write to the Committee Clerk.

**Mr O'Dowd:** OK.

**Mr Lunn:** Chris, when you say that the Minister is not convinced about the representative approach, does that include councillors?

**Mr Stewart:** No. The Minister's view is that the model of membership set out in the Bill is the right one. That model is of a relatively small board, with the caveat that she is considering the numbers with a focus on managing the authority's business, but with the requirement that the majority of members should be councillors to ensure local democratic accountability. I am sorry to disappoint you, Trevor.

**Mr Lunn:** I am sure that I can live with that.

**The Chairperson:** Chris, what obligation can be imposed on the Department to ensure that the composition of the ESA reflects the community that it serves?

**Mr Stewart:** An amendment passed by the Assembly to the Bill would be binding on the Department and the Minister in making appointments.

**The Chairperson:** Could paragraph 1 of schedule 1 be amended to include an obligation similar to that which applies to, for example, the Secretary of State in making appointments to the Equality Commission and the Human Rights Commission?

**Mr Stewart:** It would be possible, Chairperson, but I would add a caveat: anyone contemplating such a course would want to take legal advice to make sure that there would be no difficulties with the legislative competence of the Assembly. I have no reason to think that there would be, but it should be run past the lawyers just to make sure.

**The Chairperson:** I see that no members wish to comment. If the Minister has not reached a decision or is unwilling to move on the issue, what do members think about inserting additional heads in paragraph 2(2) of schedule 1 to allow for that possibility? Should I take it that members have expressed their opinions

and we will return to the issue when we receive the report in September?

**Mr B McCrea:** My view is that the issue might be resolved by regulation. Certain issues are creating an impasse that threatens to stop the passage of the Bill unless we resolve them. I wish to put it on record that I want issues that require further discussion and agreement with the Committee, such as the composition of the ESA, to be subject to regulation. That could be done by the affirmative resolution procedure.

**The Chairperson:** The Committee reached consensus on that issue last week; it was felt necessary to consider the introduction of regulations. However, that was as a general principle; we did not get into specifics.

The issue is of concern and has been raised before. Paragraph 2(2) of schedule 1 says:

"In making appointments under sub-paragraph (1), the Department shall so far as practicable secure —

(a) that at any time a majority of members are councillors (within the meaning of the Local Government Act (Northern Ireland) 1972 (c. 9)); and

(b) that each member has experience in a field of activity relevant to the discharge of the functions of ESA."

We could insert a head (c) that would read:

"that members, as a group, are representative of the community in Northern Ireland."

We could do that, but it would require regulations, as Basil said, to bring clarity.

**Mr B McCrea:** I just mean that there are two or three points that have yet to be negotiated. It is easier to get balance with a larger number of people on the board, although we have yet to decide what that number should be. One way of resolving the issue, in line with the general principles agreed last week, is that we deal with the composition of the membership by regulation.

**The Chairperson:** I offer that to members as a possibility.

**The Committee Clerk:** Does the Committee want to seek legal advice on the inclusion of such a head?

**The Chairperson:** Do you mean seek such advice from our own legal advisers?

**The Committee Clerk:** Yes.

**Mr B McCrea:** If you mean on our legislative competence, that would be reasonable.

**Mr Lunn:** The wording that the Chairperson suggests would surely be challenged by lawyers. What is meant by:

"representative of the community of Northern Ireland"?

Which community? How many communities?

**The Chairperson:** We will come to that issue later when we consider the definition of a "community

governor". They live and work in the community, but what is the definition of a community?

**Mr Lunn:** That refers to the local community; however, the "the community of Northern Ireland" is something completely different.

**The Chairperson:** That is why it would be advisable for us to get a legal opinion on the Assembly's competence to make that change.

**The Committee Clerk:** The wording "the community in Northern Ireland" is used in the Northern Ireland Act 1998 in relation to the Equality Commission and the Human Rights Commission to achieve representation.

**The Chairperson:** Paragraphs 7 and 8 of schedule 1 deal with the establishment of committees and the delegation of functions to committees and their staff. Is the Minister minded to bring forward regulations that would copper-fasten the structure of local committees? Are we any further on with that?

**Mr Stewart:** The Minister has not formally indicated to me her response to the latest correspondence from the Committee. The position, therefore, subject to that caveat, is that the Minister is still not minded to specify the local structure or committee structure of the ESA. However, she is in receipt of a further letter from the Committee, and, before saying any more, I should, perhaps, give the Minister an opportunity to consider that letter and give her views.

**The Chairperson:** It would be an option for the Committee to have a draft enabling provision to paragraph 7 of schedule 1 to provide for such regulations. The Committee could, when waiting for a response from the Minister and the Department to the letter, ask the Clerk to draft an enabling provision to paragraph 7 to provide for such regulation. I recall that the issue was to ensure that the structures of local committees were copper-fastened rather than have a bland statement that the ESA may establish committees. If the Committee were happy, that could be done and brought back to us at our meeting in September.

**Mr O'Dowd:** On what course does that set the Committee? I am not sure about the procedure.

**The Chairperson:** I will ask the Committee Clerk to explain the reason for doing that. It arises from concerns that were raised about the nature of local committees. The Bill states that "ESA may establish committees"; however, we do not know what size they would be. We know the relationship that they will have with the ESA because they will be under the ESA's control.

**The Committee Clerk:** Several key stakeholders and the Committee discussed the lack of clarity about what committees, if any, will be created by the ESA. Therefore the proposal was put to the Committee that an enabling provision could be included so that a

regulation could be created to clarify the matter. The Committee could scrutinise a regulation and make a recommendation on it to the House.

**Mr O'Dowd:** I understand that, but the Chairperson is suggesting that the Committee task you with a piece of work. On what journey will that piece of work take the Committee? Will it affirm that the Committee will go down a particular road or is it just a bit of exploratory work?

**The Chairperson:** It will be exploratory work that will come before the Committee for consideration; that is all.

**The Committee Clerk:** We would see where an enabling provision might go into the Bill; the Committee could consider it and decide whether it wishes to bring it to the House.

**Mr Stewart:** May I ask for a point of clarification on the Committee's intentions on that matter? It is a point in which the Minister will be interested and which will certainly help to determine her reply. Does the Committee envisage a straightforward and standard enabling provision along the lines of "the Department may make regulations", or will it be seeking something like the form of words that, I believe, were used in the letter: "the Department shall make regulations"? The latter would be a most unusual approach.

**The Chairperson:** "May" would be consistent with what has been to the fore in regulations, although "may" has been part of the problem, as it is not specific enough. "May" may also mean "may not"; "Shall" means that there is an absolute requirement. Therefore, regulation — and this is the point that we are trying to get to — provides confidence and clarity; and various groups and organisations wanted clarity.

**Mr Stewart:** There is no doubt that regulations would provide clarity. Some might argue that the use of "shall" might also give the Committee control over the Minister.

**The Chairperson:** That would be no bad thing; we would be quite happy with that. Would it not be the case that the Assembly would have control?

**Mr Stewart:** Yes.

**Mr B McCrea:** I have indicated in the past that I would be comfortable with the issue where, in matters that we are not sure about and where the word is "shall", there ought to be a strong look at the practicality. It is the Assembly that has some say in the matter. It might help us to get through some difficulties. For my mind, although I am happy for people to come back and discuss it for the absence of doubt, I am happy with "shall".

**Mr O'Dowd:** I am happy to look at the report when it is ready. However, we must also be conscious that once something is put in legislation or regulation it stops the

evolution of committees. This will be a new structure for committees, and what will work in Fermanagh will not work in the heart of west Belfast. We need to be conscious of the fact that putting committee structures in regulations may work against us in the long run.

**The Chairperson:** That concern will be taken on board when we consider the options.

**The Committee Clerk:** If the Committee went down the regulations route, it would ask officials to produce a draft, and there would be discussion and consultation on the make-up of the regulations so that all the issues could be ironed out.

**Mr Stewart:** That anticipates the Minister being content with the word "shall" rather than "may".

**The Chairperson:** Yes.

**Mr B McCrea:** We are talking along the lines that that is what will happen. However, can I have clarity on the point? If you were to go down that route, you could set regulations the first time, and, presumably, if the committee structures were not what you wanted, you could come back and change regulations at any time. You just have to come back and talk about it; it is not set in stone.

**Mr O'Dowd:** Bad laws have a habit of staying on the statute book.

**Mr B McCrea:** Yes, but we have professional legislators round here to ensure that we do not do that.

**The Chairperson:** We have not made a great job of it to date. Several organisations, including the Governing Bodies Association, raised concerns about the employment relationships set out in clauses 4 and 5. We could ask the Committee Clerk to draft enabling provision on clauses 4 and 5 to reassure the Committee about the concerns raised by various organisations of losing autonomy and their ability to defend ethos. That was a major issue.

**Mr Stewart:** I may be able to save the Committee Clerk some work. Having given further consideration to the Committee's concerns about the need for regulations in that area, the Minister is persuaded by the argument that such enabling power and regulations would be a sound approach, and she will be proposing amendments to that effect. We will endeavour to let the Committee have a paper on the scope of the regulations in the next day or two and the wording of draft regulations as soon as we can after that. The paper will be detailed, and I hope that it will give members a clear picture of the content of the regulations and the amending clauses.

**Mr B McCrea:** Can I ask for clarity? I am pleased that the Minister is considering regulation. Has she given any indication of whether that would be by affirmative or negative resolution?

**Mr Stewart:** She has not. The Minister's view is that the normal mechanism for such regulations would be the negative resolution procedure. However, she will want to consider the Committee's arguments for adopting the alternative control mechanism.

**The Chairperson:** Does the Committee have a preference? Obviously, we would be more comfortable with affirmative resolution.

**Mr O'Dowd:** We should use the example of the most radical changes to go through under RPA thus far, which was the Health and Social Care (Reform) Act, which, I understand, contains a considerable amount of negative resolution. The reconfiguration of councils is coming through the RPA, and negative resolutions will have to be included if that process is to operate successfully, smoothly and on time. It has worked thus far, and members can challenge it if they want. I see no reason why any member of the Committee or any MLA would wish to bog down Assembly business with affirmative resolutions. I am unsure whether the member opposite has thought about the matter: if the Department of Health, the Department of the Environment — indeed, all 10 Departments — followed that path, the Assembly would grind to a halt.

**Mr B McCrea:** The Assembly spends all its time on Members' private motions; to date, we have not dealt with the business that people elected us to do. I understand that negative resolution is used for administrative matters, such as the increase in school fees and further education college fees because of inflation; they are not unimportant matters, but they are mechanistic. In such cases negative resolution is entirely appropriate. However, when legitimate and reasonable concerns have been raised in the early stages, affirmation resolution by the Assembly — the democratic vote — would be a positive way not only to make good laws, which the members wishes, but to demonstrate to the electorate that we are scrutinising matters appropriately.

**The Chairperson:** We have agreed to send a letter to the Examiner of Statutory Rules to ask for guidance, to which we will probably not receive a response until after recess; however, if it is returned over summer, we will issue it to members. However, the Committee will have to consider the matter when it returns in September — unless I recall the Committee during the summer. Everyone perked up at that. That letter could clarify some of those issues, Basil.

**The Committee Clerk:** Last week's note is useful, too.

**The Chairperson:** Last week's note on statutory rules is included in members' packs. Before we move on, I want to ask about issues that we discussed last week. I understand from the Minister's letter that the first meeting of the controlled sector advocacy body took place yesterday. The Committee still does not have a list of attendees.

**Mr Stewart:** I apologise; I inadvertently misled the Committee last week. I thought that the meeting was scheduled for this Friday; however, as you rightly say, it took place yesterday. I am more than happy to provide the Committee with a list of those who were invited and those who attended.

It was a successful meeting. Despite picking an extremely inconvenient day for people involved in education — the last day of term — we had a good turnout of approximately 15. We had an interesting, wide-ranging and helpful initial discussion, which was characterised by those with an interest in the controlled sector recognising the opportunity to take control of the exercise at an early stage. There was considerable enthusiasm for a sectoral body, and the discussion comprised mainly those with an interest in the sector quickly establishing a clear view of the ethos, values and identity of the sector and what it stands for. People in that sector broadly welcomed the opportunity to do so in a way that they had been unable to in the past.

**The Chairperson:** You brought good news about the Minister's willingness to introduce regulations to deal with concerns about employment schemes and the maintenance and protection of ethos.

Has the Minister had any change of mind on the concerns that were raised about pay equality and about how the controlled sector is dealt with? The Minister has ruled out having a rump of education and library boards remain to enable the establishment of a body that will be on an equal basis with the other sectors. Was that issue raised? I am sure that the issue of ownership was raised. Was the group that was brought together yesterday made aware of the Minister's letter of 17 June to the Committee in which she said that she would not give the body the same equality of treatment as everyone else?

**Mr Stewart:** I cannot say whether all those present or all those invited were familiar with the letter, but I am sure that some of them will have seen it. They will be familiar with the Department and the Minister's proposals for the controlled sector, including ownership and representation. The Minister's position on that has not changed; she remains of the view that the proposals on ownership that she put to the Committee are the right way forward.

However, the Minister is conscious of the concerns that have been expressed and the need to ensure that there is equality, and she is conscious of the fact that we need to work hard and creatively in the controlled sector to overcome challenges in order to achieve equality. The central mechanism for doing so will be achieved if we ensure that we get the representative body up and running with the right membership, functions and composition to play that role.



Yesterday's meeting was a modest start. The summer creates difficulty, but we have tentatively arranged a second meeting of the group, which we hope will have a larger membership, for the third week in August. We will move forward thereafter, perhaps more rapidly and with more frequent meetings. The aim is to place that sector in the same position as all the other sectors by 1 January 2010.

**Mr O'Dowd:** Am I correct in saying that the controlled sectoral support body and the Catholic sectoral support body are being treated in the same way? Is there any difference in approach? Do they have different rights or entitlements?

**Mr Stewart:** No.

**Mr O'Dowd:** The dispute is over the ownership body and the trustees. A section says that the Transferor Representatives' Council should have rights or entitlements to membership of the ownership body of the controlled sector.

**Mr Stewart:** That is correct. Many people disagree with the approach and are still concerned that the Catholic trustees will have an advantage because they are representatives of the sector and the legal owners of the schools. We do not agree with that, and we are seeking to persuade stakeholders that there is no advantage to the Catholic education sector that stems directly from ownership. As we have said to the Committee, ownership is not the prize; representation is the prize. No one will take part in the area-planning process because they own schools, but some sectoral organisations — including the controlled school body and the Catholic trustees — will have a place, as of right, in legislation, not because they own schools but because they are the body appointed to represent the interests of a particular sector and because they are the body that has been charged with fostering and developing the ethos of that sector. Therefore representation, not ownership, is the key to influence.

**The Chairperson:** The fundamental difference is that they are separate and different, because one will be subject to section 75 appointment regulations and the other will not. That is inequality. How do you appoint people to the trustees of the maintained sector? You have to be from that sector.

**Mr Stewart:** The Church appoints its own trustees.

**The Chairperson:** It would be welcome if the Church were prepared to open up to section 75 obligations, but the documentation that it sent to us last week makes it abundantly clear that the Church has always regarded the Council for Catholic Maintained Schools as a Catholic organisation.

In their document, they actually go as far as saying that anything other than CCMS is an arm of the state. Therefore, there is not equality. They are not being

treated equally. That is the issue. That is why some of us are making it clear that you cannot have one version of equality that is to the advantage or disadvantage of someone else. You either have equality or you do not.

**Mr Stewart:** I understand your concern and the point that you are making.

**The Chairperson:** It is more than a concern; it is a reality.

**Mr O'Dowd:** The reality is that the Catholic Church owns its schools. Therefore, it is, de facto, the ownership body. It does not matter whether you bring in section 75, the European Convention on Human Rights or Sharia law; that is the fact of the matter.

**The Chairperson:** How do we become part and parcel of governing? Those schools take state money, so how do we ensure that they are treated the same as schools in every other sector?

**Mr O'Dowd:** We ensure that they are treated the same through the powers of the Assembly and the Education Committee.

**The Chairperson:** They are not treated the same in the governance arrangements.

**Mr O'Dowd:** We can argue about the issue all day, but it is the last day of term, so I am not going to fall out with you.

**The Chairperson:** So, there is no change in that.

**Mr Stewart:** There is no change in that. I understand the point that you made, but I see little prospect of any Church being designated formally as a public authority for the purposes of section 75. You are quite right that the ownership body would be designated as a statutory body and would be subject to section 75. I cannot foresee any circumstances in which any of its functions would be significantly affected by that.

**The Chairperson:** If 95% of Protestant children in Northern Ireland are educated in its domain and you open it up to section 75, there will be people on that body who represent a minority view and not a majority view. That is not equality.

**Mr Stewart:** I disagree with that. The Minister's paper makes the point that, for those reasons and others, she sees the ownership body as being small, narrow in remit and technical as regards the scope of its functions. It will do no more and no less than have the custodianship of the controlled schools estate. It will not have a range of functions that might give rise to the sorts of concerns that you have. Its remit will be deliberately narrow. For public policy reasons, it must be subject to section 75, but the controlled sector and those within it will suffer no disadvantage or advantage compared with any other sector because of that.

**Mr B McCrea:** We know the arguments backwards and forwards, but it simply comes down to a perception

of inequality, which we have to address. You may say that, in actuality, there is none, but I am aware that, at one stage, the member sitting opposite me argued that voluntary grammar schools get all their money from the state so they should have to do what the state says. It is a counter-argument now because the ownership of the maintained sector is with the trustees, but the actual running costs and all the rest come from the state. There must be some mechanism that we can develop that gives parity of esteem and influence to both sections of the community. There must be some way to do that, because, if we do not do that, we will have great difficulty convincing people to move forward.

**Mr Stewart:** I accept entirely the point that you made, as does the Minister, but we feel that the mechanism is the representative body. If the Assembly felt that the correct mechanism was that all bodies that owned schools had to be public authorities for the purposes of section 75, that would encompass the controlled schools ownership body, the Roman Catholic Church, the Church of Ireland, which still owns three schools, and all the voluntary schools. I do not see it as being consistent with public policy to make all bodies that own schools into public authorities.

**Mr B McCrea:** Do you know what, Chris? I know that it is a bit radical, but I would almost think about challenging that. It is such a major issue, but the argument has been made that we have moved on from where we were in the 1920s and that to run schools now to the standard that we want requires public funds in large measure. That is really what this is all about. The notion that you hold buildings that you cannot afford to run is ridiculous. If there was no support from the state, many schools would be unable to survive.

Perhaps we should examine the creation of a system whereby if schools want to receive public funds for running and development costs and for paying teachers, all schools should be taken into the public domain. If those schools do not want to do that, that is fine, but they will have to fund themselves.

**Mr Stewart:** The natural conclusion of that line of argument would mean the Department taking all schools into public ownership. That is not currently the Minister's policy, and a great many, if not the majority, of the stakeholders who have been before the Committee would strongly oppose that.

**Mr B McCrea:** I understand that. However, there is, as you have said, a logical argument about public funds and trying to attain equality. That is the reason why we are having that difficulty.

**The Chairperson:** The Committee will return to that point.

We will now move on to clause 13. The Committee is doing well, but members will not be shown a video

today. It is the last day of term, but they will not be receiving any perks.

**Mr B McCrea:** What about toys? *[Laughter.]*

**The Chairperson:** No, no toys either.

Clause 13 is entitled

"ESA to provide or secure provision of training and advisory and support services for schools".

The Bill's explanatory and financial memorandum states that:

"This clause places a duty on ESA to provide or secure the training or further training and advisory and support services for Boards of Governors and teaching and other staff in grant-aided schools."

I refer members to the stakeholders' comments on this clause. Among the issues raised was a suggestion by the National Association of Head Teachers (NAHT) on behalf of itself, the Irish National Teachers' Organisation (INTO) and the Ulster Teachers' Union (UTU) that the budget for training should be delegated to schools. Those organisations see the provision of training and support services by the ESA on a free-of-charge basis as a perpetuation of the current arrangements under which schools have no choice but to take what is on offer from the Curriculum Advisory and Support Service (CASS) or the Regional Training Unit (RTU). They suggest that the ESA should still provide training and support, but that the budget for that should be delegated to schools, meaning that they will be free to buy those services from the ESA or elsewhere if they wish. The Department believes that the obligation on the ESA to provide or secure the provision of those services would allow budgets to be delegated.

Chris, would the Department like to make any other comment on that? Will there be a difficulty with the ESA maintaining capacity to offer in-house training as currently provided by CASS and the RTU if there is no obligation on schools with delegated budgets to buy the ESA in-house offering?

**Mr Stewart:** There is not much further to say on that. As many stakeholders have encouraged us to do in their representations to the Committee, we are looking at the idea of a mixed market. The ESA will be under a statutory duty and must ensure that services of the right type and standard are provided, but the Department does not envisage, and the legislation does not allow for, the ESA to have any guaranteed monopoly on that provision. Therefore, the challenge for the ESA is two-fold: first, it must respond positively to requests from schools or groups of schools to provide or commission services in a different way, perhaps involving the schools themselves; and, secondly, the ESA must also change the services that it provides to make them more responsive.

One of the most frequent representations that was made to the Department when it brought forward the RPA proposals was that the CASS officers were, and are, a very dedicated group of hard-working individuals, but that the nature of CASS services is such that they tend to be inflexible and not sufficiently responsive to the changing needs of schools. That is one area in which we have listened to stakeholders, and we feel that the thrust of what they are looking for is reflected in clause 13. We also feel that it is capable of meeting the concerns that they have expressed.

**Mr D Bradley:** Which of the directors of the ESA will be responsible for that area?

**Mr Stewart:** I am not familiar enough with the roles and responsibilities of the directors. I will need to check and return with that information.

**Mr D Bradley:** I can tell you that it will be the director of education quality and standards. Furthermore, the proposals for the director level structure of the ESA contain a job description for that post, which states:

“He/she will provide strategic advice to DE on policy issues related to education quality and standards.”

Is that not a reversal of the role? I thought that Department was to provide the policy, not the ESA.

**Mr Stewart:** The Department will very much provide the policy, but I think that we would draw a distinction between providing advice to facilitate the development of policy and providing policy. The former is a statutory function of the ESA, the latter is solely the function of the Department.

**Mr D Bradley:** The job description also states:

“He/she will have responsibility for ensuring the effective monitoring of performance at regional, local and school level, the identification and dissemination of best practice and the establishment of effective arrangements for identifying and addressing areas for improvement in schools and other settings.”

Is that not straying into the Education and Training Inspectorate’s area of responsibility?

**Mr Stewart:** I do not regard that as being the case. The role of the Education and Training Inspectorate is to provide the evidence by which that particular director, and indeed the Department, will judge the success, or otherwise, of the services that have been provided. However, the responsibility and the formal line of accountability go from the ESA to the Minister, and, subsequently, through the Minister to the Committee and the Assembly. It does not begin at the Education and Training Inspectorate.

**Mr D Bradley:** That seems to be an overlap of function. In any case, under article 37 of the Education (Northern Ireland) Order 1998, the General Teaching Council (GTC) for Northern Ireland has a duty to take an advisory role in:

“the training, career development and performance management of teachers”.

The GTC suggested that some reference to that should be included in clause 13 of the Bill. However, you said, in response, that that would merely be a duplication. Surely a reference to, and an acknowledgement, of the GTC’s role in that clause would highlight that relationship and the need for the ESA to act under that particular directive.

**Mr Stewart:** It would. However, my point comes, as perhaps you would expect, from a technical standpoint: it would make no difference to the effect of the law in practice. Any effect would be purely symbolic, and the Minister is not, at present, convinced that there would be sufficient value in making the change that the GTC suggested.

**Mr D Bradley:** I take your point that the Minister does not see the value, but the body that has responsibility for the professional development of teachers does; surely its views are worth something.

**Mr Stewart:** GTC’s views are worth a very considerable amount indeed, but it is up to the Minister, having considered those views, to decide on the policy. At present, she is not convinced that the change to the Bill suggested by the GTC is necessary.

**Mr D Bradley:** From an operational perspective, will any major change in the provision of advisory and support services to schools occur as a result of that particular clause?

**Mr Stewart:** The short answer is yes. Changes are required, because that is what schools have told us. Schools stated that the current range of support services that is provided is not sufficient to meet their needs. In the view of schools, the current services are not sufficiently flexible and are not adapting to the changing needs of schools. I cannot give you a detailed description of what form the support services will take after 1 January 2010. However, the Department is convinced of the need for change, because it listened to those in education who told it so.

**Mr D Bradley:** Is part of that need for change a movement towards a mixed economy of provision?

**Mr Stewart:** Yes, but not because we are committed to any particular pattern of provision. We are not starting from the standpoint of trying to achieve a particular configuration of providers. The driving force behind the change must be that the services provided meet the need of schools. The way to bring about that change, and quickly, is to remove the guaranteed monopoly that currently exists and open up the market to other providers. That is not driven by any attempt to privatise support services, but by a desire to improve the standard, quality and nature of the services that are provided to schools.



**Mr D Bradley:** It could be argued that there are two aspects to training teachers: the corporate training of teachers as a group in a particular school or area; and the professional development of the individual teacher. Does that clause make provision for both the corporate development of teachers and their individual development?

**Mr Stewart:** Yes, it does. It is very wide-ranging in scope. It covers the full range of staff in the school and the governors, and their full range of training and development needs.

**Mr D Bradley:** Will the RTU, which provides training for principals, vice-principals and so on, come under the ESA?

**Mr Stewart:** Yes, it will. Technically, the RTU is a part of the Belfast Education and Library Board, but it operates on behalf of the whole education system. As part of the Belfast board, it will be subsumed into the ESA, and its functions, along with those of CASS, will transform and develop within the ESA.

**Mr B McCrea:** It is not clear to me why the Department opposes the position of INTO. I am sure that I heard in the past that the real, overall objective is maximum devolved autonomy. There seems to be some benefit in having a balance between providers and budget holders.

**Mr Stewart:** That is correct. I would not characterise our stance as one of disagreement with INTO or NAHT. It is perhaps more the case that we are agreeing furiously with them. Like them, we see the need for a mixed market, but we are not keen on changes to the legislation that will have no practical effect. We are not keen to saddle schools with additional bureaucracy that will not contribute to meeting educational need. That is why we are resistant to the notion of, for example, a charging regime that would operate between schools and the ESA in relation to the services that the ESA will provide. We do not see that as a particularly efficient use of resources. It would require staff and arrangements in the schools and in the ESA simply to pass public money from schools to the ESA and vice versa. That is not a particularly advantageous use of resources.

**Mr B McCrea:** One of the arguments in the debate between the controlled and voluntary sectors centres on the freedom that the voluntary sector has on a whole range of things. They find the bureaucracy involved in going through central services stifling, and that is a problem. Obviously, some schools will have the ability and desire to take on more of the administrative function than others. With more imagination and more attempts to work with people, you could devise a set of operating conditions that would satisfy all parties.

**Mr Stewart:** You are entirely correct. We have no objection whatsoever to schools having budgets and being able to use those budgets to procure services or,

perhaps, provide them directly for themselves. However, I draw a distinction between going to third-party providers and charging arrangements that would operate between the ESA and schools. The former would give the sort of flexibility that you suggest; the latter would make the current arrangements more expensive to operate.

**Mr B McCrea:** In the spirit of compromise, I think we could do better with this clause or, I hate to say, regulation. Some way of giving reassurance and of addressing the concerns raised by a number of parties could be found while trying to ensure that we get value for money. There seems to be scope for getting a win out of this issue.

**Mr Stewart:** There is, but I wonder whether some of the stakeholders see obstacles that are not there, even under the present arrangements. I can provide an example. The area learning community in Ballymena, which includes all nine post-primary schools in that area, carved out some resources from the budgets of the various schools and employed a retired ex-board officer to work on their behalf on a range of initiatives, both to give the schools the capacity as a learning community to respond to policy-development consultation exercises and to look at the development of services for those schools.

It is a very good idea; it appears to be working well, and the schools are positive about it. That was possible even under the current legislation and arrangements; there was no impediment whatsoever. Our view is that when schools have good ideas and want to do things, either individually or in groups, the ESA should fund them to do those things.

**Mr B McCrea:** We are in danger of agreeing violently on that point. I absolutely agree with the idea that you outlined. I, too, would support them in what they want to do. However, the big difference is that, although it may be possible for them to do that, having read those clauses, some people are concerned that the ESA might end up taking an “our way or no way” approach. Although one might be able to do it, if somebody were to take a different view, the ESA will still have the power. Therefore, I am simply suggesting that there ought to be some way to codify the powers outlined in the example that you gave so that a better balance can be achieved. I shall rest my case on that point. I am just saying that it would help a lot of people if they felt that the ESA would do that. Maybe you could look at a form of words?

**Mr Stewart:** I understand that concern, which arose in respect of a number of provisions in the Bill and, indeed, with respect to previous legislation. When stakeholders are not fully convinced by an approach, they tend to interpret legislation with that doubt in mind, whereas our purpose with legislation must always be to provide a safety net or backstop. If we



were to leave out that clause, or the bits of it that impose duties on the ESA, we would leave scope for the failure to provide the necessary training and development services in education. The Department's responsibility is to ensure that no school, or group of schools, can fall through the net.

At the end of the day, some body has to be responsible for ensuring that those services are available and be accountable to the Minister and the Assembly for what happens. That body is the ESA. Some stakeholders tend to interpret such clauses to mean that the ESA will have a command-and-control approach and that it will be its way or no way. That is not the intention behind the clause, or any similar clause, and we would not permit the ESA to operate in such a manner.

**Mr B McCrea:** Could you not find a way to codify those powers in order to address people's legitimate, but, perhaps, erroneous, concerns? It would help us if you would formulate some form of words or an amendment to indicate the intention of the legislation.

**Mr Stewart:** In answering that point, I fear that I may utterly fail to convince you that we constantly strive to do just that. It is difficult to draft statutory duties in a way that leaves them totally incapable of being interpreted pejoratively. Indeed, some stakeholders take an extremely pejorative interpretation of what are fairly standard approaches to legislation. There are those who are determined to see the ESA as Big Brother, and if they are determined to go down that route, there is little that we can do to frame the legislation to prevent them.

**Mr B McCrea:** I do not want to go on, Chris, but I think that there is a way. Given that we are considering that clause, could you not come back with some suggestions about how to deal with my point. Are Bills not accompanied by notes sometimes?

**Mr Stewart:** Bills are always accompanied by an explanatory and financial memorandum, although I am not sure whether such a document would provide the sort of illustration for which you are looking.

**Mr B McCrea:** You are the expert. We agree on many things, and all I am asking you to do is to give some consideration to addressing those issues.

**Mr Stewart:** Certainly, if a bit of explanation would help, that is not beyond our power. I would be less confident that we could reframe the legislation in a way that would address the concern. However, we can express in plain English what we want the clause to mean.

**The Chairperson:** Could you provide the Committee with that?

**Mr Stewart:** Yes, certainly.

**The Chairperson:** There is an issue about the fact that clause 13 says:

"It is the duty of ESA to provide or secure".

That could be "provide and secure". There is an issue about a school having to go back to the ESA to secure and provide training and advisory support services. That is a move into a very mixed economy, and there are concerns about that. The transferors have already raised concerns about CASS and the fact that religious education was not being provided for under the current provisions, and they said that an appropriate level of curricular support must be re-established and further developed. That was a huge issue.

Another issue raised by the Forum of Nursery Teachers (FONT) in its submission concerned private, voluntary and statutory nursery provision. It was very concerned about the way in which nursery school principals had been treated, and it felt as if it was separate from much of the other current provision. The Department's response was that the duties in clause 13 relate to all grant-aided schools, including nursery schools. Is there further scope to address their concerns?

**Mr Stewart:** Our contention would be that the clause does address FONT's concerns. If I recall correctly, its feeling was that nursery school principals in particular were not receiving the same level of service as principals of other schools. Our view is that the clause as drafted applies to all schools, and that includes nursery schools. Therefore, the rights of nursery school principals that stem from that clause are the same as the rights of principals of any other schools. If there is any difference or inequality in practice on the ground in the ESA's discharge of that duty, we would want to take that up robustly with the ESA.

**The Chairperson:** In its submission, FONT claimed that since the legislation came into existence in 1970, and through all the various changes, the nursery sector has still not received the same level of support and provision as other sectors.

**Mr Stewart:** I understand that concern. I am not in a position to comment on the extent to which what they are saying is correct. However, if one assumes that it is correct, that stems from a deficiency in practice rather than a deficiency in legislation.

**The Chairperson:** Members, we are now out of quorum and cannot make any decisions.

**Mr D Bradley:** Is there any major difference between this clause and clauses in previous legislation that obliged the education and library boards to provide training and advisory support services?

**Mr Stewart:** They are very similar in construction to some previous clauses.

**Mr D Bradley:** So, there is nothing radically different in the legislation.

**Mr Stewart:** I could not claim that there is anything radically different.

**Mr D Bradley:** According to the job description for the director of education quality and standards, which I mentioned earlier, the driving policies behind this particular function of the ESA would be ‘Every School a Good School’ and the literacy and numeracy strategies. It goes on to say:

“This will require a new approach to working with schools, including new relationships and re-definition of roles and responsibilities”.

The ESA obviously envisages a radically different approach. Unfortunately, it is very difficult for members of the Committee to see that from that clause, because, as you say, it does not vary much from clauses in previous legislation that applied to previous education bodies. The other unfortunate aspect is that we do not yet know what the new relationships will be, and how the roles and responsibilities will be redefined.

**Mr Stewart:** First, you are right that the words of the Bill do not look much different from the words of previous legislation. The practice and the approach that is taken in the organisation are what need to change significantly, but there is no need for radically different legislation to bring that about.

Secondly, and this is an area where legislation is radically different, for the first time we are placing clear statutory duties on the ESA and on boards of governors to exercise their functions with a view to raising standards of educational attainment. That is covered in one of the clauses that we discussed last week. Colleagues in education and library boards put to us the justifiable concern that responsibilities, particularly those of the education and library boards, are not clear in current legislation. We have taken radical steps to change that in the legislation. However, the more functional part of the legislation does not need the same radical change that the practice does.

**The Chairperson:** One could argue that the lack of clarity of previous legislation has been replicated in the Education Bill, and that is evidenced by the discussion that we have been having for the past 10 or 15 minutes.

**Mr Stewart:** One might take a different view. It depends on the extent to which the Assembly wishes to have a highly detailed and highly codified approach to legislation or whether it wishes to take the more traditional, dare I say, Westminster approach, of having broader and more enabling powers that allow for a more flexible discharge of function. That is a matter for the Assembly. If the Assembly’s preference is for a more detailed and more codified approach, I am sure that that is the approach that we will take.

**The Chairperson:** Last week we raised the issue of clause 2(4) in which it is stated that:

“ESA shall ensure that its functions relating to grant-aided schools are (so far as they are capable of being so exercised)

exercised with a view to promoting the achievement of high standards of educational attainment.”

How does that tie in with clause 13?

**Mr Stewart:** Having failed to persuade you that your concerns were unfounded, we have referred the matter to the Office of the Legislative Counsel and asked for his advice, but I am confident that his advice will be similar to mine.

**Mr O’Dowd:** If it is not, he will be in trouble.

**Mr Stewart:** If it is not, I will be in trouble.

**The Chairperson:** Clause 14 places a duty on the ESA to provide library services to grant-aided schools and other educational establishments that are grant-aided by the Department. It is always useful for members to have the spreadsheet in front of them; it provides details on the bodies that made submissions and their comments. NIPSA talked about the need for a link between the ESA and the Library Authority. The Department said that it cannot see why there is a need for that link, given that clause 18 contains provisions allowing the ESA to co-operate with and enter into formal arrangements with the Library Authority. The Belfast Education and Library Board was supportive.

**Mr Stewart:** That is a perfect example of what we have been talking about. The schools’ library service is extremely important; it is fundamental to education, but the provision of it requires only three lines of legislation. We have not felt the need to go for a more codified approach, because it is not necessary.

**The Chairperson:** The BELB:

“notes with concern that securing provision is not the same as ‘providing’, and this could suggest that ESA will commission the youth services rather than provide or run the service itself.”

**Mr Stewart:** Is the board referring to a different clause?

**The Chairperson:** It may refer to clause 15; the board has probably linked clauses 14 and 15.

**Mr Stewart:** There is a difference between “provide” and “secure”, but there is nothing sinister in that.

**Mr D Bradley:** The role of school librarian is becoming more complex with the availability of information technology and all that that opens up. One would imagine that it would, therefore, be extremely important that such a person be knowledgeable about the curriculum and about how the school library could help to support and develop it. Is there any provision in the Bill to ensure that similar professional development is available to school librarians as is available to teachers? Is that covered by the previous clause?

**Mr Stewart:** Librarians are employees of the ESA. That is not covered by the previous clause. Librarians’ professional development and training is an

operational matter for the ESA; it is not prescribed in any way in legislation.

**Mr D Bradley:** You are saying that it is not covered in the Bill.

**Mr Stewart:** I apologise; my colleague has, rightly, pointed out that my previous answer was slightly incorrect. Where such staff are based in schools, their professional development and training would, indeed, be covered by that clause; where they are based in the ESA, it would not. However, their professional development would be a matter for the ESA.

**Mr D Bradley:** When they are based in schools —

**Mr Stewart:** They are covered by the previous clause.

**Mr D Bradley:** Therefore they are considered to be staff under clause 13.

**Mr Stewart:** Yes.

**The Chairperson:** Would the Department have an agreement between the ESA and the Library Authority that would address the staff development concerns that have been raised by NIPSA?

**Mr Stewart:** Yes. Indeed, given that the public library service is likely to be the larger partner, as it were, we would envisage such an agreement and opportunities for secondment of staff between the two organisations to facilitate professional development.

**Mr D Bradley:** The Committee for Culture, Arts and Leisure raised that issue with the new chief executive of the Library Authority. She seemed to be of the opinion that there would be a service-level agreement between the Library Authority and the ESA to ensure that such professional back-up would be available to school libraries from the authority. Is that your understanding?

**Mr Stewart:** That is my understanding of the proposal.

**The Chairperson:** We will move on to clause 15, which is entitled “ESA to secure provision of educational and youth services and facilities”. The explanatory and financial memorandum states that:

“This clause places a duty on ESA to secure the provision of adequate facilities for educational and youth services. Furthermore, ESA may, with the approval of the Department, carry out other activities, such as providing leaders and providing financial assistance to participants. ESA may also make grants for the establishment, maintenance or management of any facilities on such conditions as ESA may determine. This clause also allows ESA to make bye-laws, for example, preventing disorder and nuisance in these facilities.”

I remind members of the comments that we have received on clause 15. The South Eastern Education and Library Board (SEELB) suggests possible amendments to the clause. It says:

“As stated previously the Board is of the opinion that youth is an integral part of education and thus the separation into educational and youth services and facilities is unnecessary. The Board would suggest that (1)(a) and (1)(b) should be combined”.

**Mr Stewart:** That is a further example of the point that we discussed earlier in relation to clause 2. For technical reasons, it is not possible to combine educational and youth services in a single provision as has been suggested. That would restrict the provision of youth services and reduce its flexibility in providing services for people up to the age of 25, which, we gather, is not unusual.

Clause 15 is fairly standard; in fact, it is a re-enactment of existing provision and contains nothing radically new. The Belfast Education and Library Board made the point that the word “secure” is used in that clause. It has a different meaning from “provide”, but there is nothing sinister in that; it is intended to reflect reality. There is a mixed market, particularly for youth services. In fact, most youth services are non-statutory and are provided by some 8,000 volunteers, and we do not wish to introduce legislation that would imperil that.

**The Chairperson:** NIPSA had an issue with the words “together with any other person” in clause 15(2), because it felt that that could permit the privatisation through a PPP or the PFI.

**Mr Stewart:** I recall that comment, as we were rather perplexed by it because the clause has nothing to do with the procurement of the schools estate. We could not understand NIPSA’s comment.

**The Chairperson:** Clause 16 is entitled: ‘ESA to pay capital grants to voluntary and grant-maintained integrated schools. The clause provides that capital grants that were formerly paid to schools by the Department will be paid by the ESA. We received no comments from stakeholders on that clause.

Clause 17 is entitled “ESA to pay superannuation benefits of teachers”. That clause provides that the superannuation benefits for teachers, which were formerly paid by the Department, will now be paid by the ESA.

Members should stop me if they feel that I am moving too quickly.

Clause 18 is entitled “Ancillary powers of ESA”. The clause affords the ESA the power to do anything that, in its opinion, would be useful in fulfilling its functions; for example, the ability to form bodies corporate, to carry out research and to provide advice to other statutory bodies. Chris, was that power previously vested in the Department or in the boards?

**Mr Stewart:** The boards have similar powers. Clause 18 is fairly standard and would be associated with any new public authority. Members who are also on the Committee for Culture, Arts and Leisure will probably recall a similar clause from their consideration of the Libraries Bill.

**The Chairperson:** Clause 19 is entitled: “Power of ESA to undertake commercial activities”. The clause



allows the ESA to charge other bodies or persons for goods or services provided by the ESA. The exercise of that power must be approved by the Department of Education and may be subject to certain conditions placed on the ESA by the Department.

Chris, do you have any examples of the types of commercial activity in which the ESA might engage? There is a concern that clause 19 gives the ESA huge power, and for many people perception is reality.

On one hand, the Department does not want the ESA to be Big Brother. However, despite those reassurances, the more one examines the Bill and recognises the multiple clauses that are added on, one could ultimately conclude that, by the end, a Big Brother has been constructed. The powers in clause 19 are an example. That provision — correct me if I am wrong — was not available to boards.

**Mr Stewart:** It was not available in the same way. However, it is a fairly standard provision for many public authorities. You are right to point out the need for checks and balances, but extensive checks and balances are contained therein. We must be absolutely certain that the ESA does not put its core purpose and functions — to provide support for the delivery of education in Northern Ireland — at risk when taking advantage of commercial opportunities. That is why those checks and balances exist for approval by the Department.

However, in common with other public authorities, it is reasonable to allow the ESA the opportunity to supplement the education budget by engaging in commercial activities. We do not have specific examples in mind, and specific proposals are not being introduced at the moment. However, there may be scope for materials that it develops for professional development and curriculum support to be made available to other education authorities in other jurisdictions. If those opportunities exist, it seems reasonable to allow the ESA to take advantage of them. However, I say that with the important caveat that the ESA's primary function must always be to support education providers in Northern Ireland.

**Mr D Bradley:** Does that clause include examinations fees and so on?

**Mr Stewart:** I think that it does.

**The Chairperson:** When discussing clause 18, the Department's response was that if the receipts realised in a year exceed the forecast, the Department will consult the Department of Finance and Personnel about the appropriate treatment of those receipts. Is regulation required to formalise that arrangement?

**Mr Stewart:** I do not think that regulation will be required. DFP would simply instruct us on what to do with any excess receipts. Either the Northern Ireland

block as a whole would benefit or, perhaps, the benefit would be split between the Northern Ireland block and the education budget. The ESA would not retain receipts. They would have to be used according to the priorities for education determined by the Minister and the general priorities for public expenditure determined by the Executive and the Assembly.

**The Chairperson:** Does the Libraries Act (Northern Ireland) 2008 contain an appropriation clause?

**Mr Stewart:** I am not familiar enough with that legislation to comment.

**The Chairperson:** I think that there is. We raised that issue to determine whether we should consider such a clause. Is it a requirement to have the same appropriation clause?

**Mr Stewart:** I will check and come back to you. I cannot comment on whether that particular provision exists in the Libraries Act. We did not receive advice or representations from DFP that such provision should be included in the Education Bill. If it will assist the Committee, we will ask DFP for its views on the matter.

**Mr D Bradley:** Have existing or former educational bodies — statutory bodies, that is — engaged in commercial activities? Do you have examples?

**Mr Stewart:** I cannot give particular examples today. I suspect that the organisation most likely to have done so is the Council for the Curriculum, Examinations and Assessment (CCEA). If it will help the Committee, we can ask CCEA and other bodies for examples.

**Mr Lunn:** The North Eastern Education and Library Board said that it had to forego commercial opportunities in the past because such a provision did not exist. As well as asking for examples, you could ask what it had to forego.

**Mr Stewart:** I am happy to do so.

**The Chairperson:** Clause 20 deals with the power to confer functions on the ESA in relation to civil contingencies. This enabling clause allows the Department to confer powers or impose duties on the ESA in relation to emergency preparedness and response. Will that take into account existing contingency arrangements? What was the relationship between the boards and other stakeholders on the current arrangements for contingency planning?

**Mr Stewart:** Clause 20 has a converse effect to the clauses that we have discussed previously; the relationships and the roles do not change, but the legislation does. The purpose of the clause is to put the existing informal arrangements on a statutory footing.

**Mr D Bradley:** Will Gavin Boyd have a bunker?

**Mr Stewart:** No, and we will think very carefully about whether we let him into ours.



**Mr B McCrea:** Putting him in a bunker is OK; the problem is letting him out.

**Mr Lunn:** Will the Minister have a bunker?

**The Chairperson:** Will we have a bunker?

**Mr B McCrea:** There is an equality issue in that.

**Mr Stewart:** Having held a position in OFMDFM, I can tell the Committee that there was a bunker, which was the responsibility of OFMDFM, but it was closed for health and safety reasons.

**The Chairperson:** We move to clause 21, which deals with the dissolution of certain statutory bodies, and clause 22, which deals with the transfer of assets, liabilities and staff. Those clauses are covered in schedules 3, 4 and 5. I will not read through the clauses and schedules, but I remind members and departmental officials that some members suggested that the issue of equality between the various ownership bodies and submitting authorities could be addressed, in part at least, by retaining, in much reduced form, the education and library boards. The legislation would provide for those boards to have a purely property-owning function.

As we discussed earlier, the Minister ruled that suggestion out in a letter of 17 June. Last week, one member called the issue of the ownership body for controlled schools a potential train wreck. Have members amendments to avoid that scenario? Chris, do you have anything to say on the issue?

**Mr Stewart:** I do not have much to add. Members are familiar with the Minister's position as set out in the letter; she does not support retaining education and library boards, even in part.

**The Chairperson:** We move on to clause 23, which places a new general duty on the Department of Education and the Department for Employment and Learning with regard to the education of children and young persons and the promotion of further and higher education. I remind members of the Department's response to the Western Education and Library Board's suggestion of a commitment of lifelong learning for people of all ages. The Department said that it would bring that issue to the attention of the Department for Employment and Learning. Has anything been done on that?

**Mr Stewart:** I will have to check. The matter is definitely one for the Department for Employment and Learning rather than the Department of Education. The Department for Employment and Learning has not said that it wants any changes to the clause with regard to its general duty.

**The Chairperson:** The Irish National Teachers' Association (INTO) mentioned the lack of integration between the Departments on the education of young people aged from 14 to 19 years.

**Mr D Bradley:** NASUWT also raised that issue.

**The Chairperson:** That is correct.

**Mr D Bradley:** What was the Department's response to the issue that the teachers' unions raised?

**Mr Stewart:** Will you remind me of the bigger issue?

**Mr D Bradley:** The teachers' unions said that it would make sense for a single Department to be responsible for the education of children between the ages of 14 and 19.

**Mr Stewart:** I note their view; however, that is a matter for the Executive and OFMDFM to consider.

**Mr D Bradley:** Is the Department minded to raise that issue with them?

**Mr Stewart:** I do not think that it would be appropriate for the Department to raise the issue of the number of Departments and their relative responsibilities; that is a matter for the First Minister and the deputy First Minister.

**The Chairperson:** In its response the Department said that alternative education provision was under review. Has anything come from the Department on that?

**Mr Stewart:** Not that I am aware of; that is not an area in which either my colleagues or I work. We can check with our other colleagues and come back to you.

I am told that a review is taking place.

**The Chairperson:** That was the response —

**Mr D Bradley:** How many reviews is the Department reporting on?

**Mr Stewart:** Far too many.

**The Chairperson:** There was probably a review of that, too.

**Mr B McCrea:** At the round-table discussions, the question was asked, under clause 23(3)(b), whether the Department should also be responsible for promoting the mental health of young people; people were very concerned about issues such as suicide. Dominic and I heard representations from people who said that we should be looking at that issue. Should we be doing that? We have discussed just about everything except mental well-being.

**Mr Stewart:** That is an interesting issue that, until now, has not been raised specifically with us. Work is ongoing across Departments to produce, among other things, suicide prevention strategies. It is recognised that education in general and in schools in particular has an important role to play in that. I hesitate to go much further.

It is one thing to acknowledge the role that education can play in addressing many issues; it is quite another to say that there should be a specific reference to mental health in the general duty of the Department of Education. There will be arguments for and against. However, the issue has not been raised with the Department before

now, and there are no plans, at present, to include anything.

**Mr B McCrea:** If the Department is prepared to promote spiritual, moral, cultural, social, intellectual and physical development, it seems strange that it is not prepared to promote mental well-being. Arguments were made about the effect that children's mental well-being has on their educational development. I recognise that it is a big issue, and I am not saying that we should consider it lightly, but it is an emerging issue of some concern. I invite the Department to think about that. Of course there will be issues of resourcing and how to handle the responsibility, but I think that it must be looked at.

**Mr Stewart:** The issue is not so much one of resourcing. I do not want to give you the impression that I am dismissing your suggestion; it is a very interesting one. There is no formal view on the issue, because the suggestion has not been put formally to the Department. The core issue that needs to be worked through very carefully stems from the word "well-being". The general duty on the issue of health and well-being sits with the Department of Health, Social Services and Public Safety; the general duty on our Department is couched around development. There are clear relationships between the two as well as some potential overlap. A need exists for joined-up working between the two Departments and the public authorities that are involved. I do not know how that could best be reflected in legislation; however, it is certainly worth considering.

**Mr B McCrea:** We would appreciate your considering it and coming back to us. The issue ought to be brought in, but I want to know the ramifications.

**The Chairperson:** Clause 44(1) places a duty on the ESA to:

"ensure that its functions are exercised with a view to safeguarding and promoting the welfare of children and young persons."

Therefore, there is already something there.

Basil referred to clause 2(2)(a), which sets out the general duty of the ESA. It states that the ESA's duty will be:

"to contribute towards the spiritual, moral, cultural, social, intellectual and physical development".

If we take Basil's point, do we have any idea how the ESA will contribute to children's spiritual development? How will the ESA contribute to each of those issues? What does it mean by the word "contribute"? We should, perhaps, have tried to get some explanation on the wording. It is not just about looking at their mental well-being.

**Mr D Bradley:** Perhaps the word "promote" could have been used.

**The Chairperson:** What is the definition of the word "contribute"? How will the ESA see that role being played out, and in what way will it carry that function through?

**Mr Stewart:** Those sorts of clauses are rarely precisely defined, and when we ask for them, legislative counsel tends to be somewhat nervous of including them for that very reason. I would see the ESA addressing the matter in two ways. The most obvious way would be through the curriculum in respect of how it addresses religious education and through curriculum support and professional development around the teaching of religious education. However, more generally, the ESA would address the matter through a holistic approach to education, which it would seek to promote in schools. That would recognise that the purpose of education is to contribute to all the dimensions of development that are listed in the legislation and not to focus more narrowly, as education may have done in the past, on intellectual development and things closer to it. I cannot give you a chapter-and-verse answer on exactly what the ESA would do in pursuit of that duty, but it is something that we would expect to be visibly woven into the thread of all that it does and in the approach that it takes.

**Mr D Bradley:** I would argue that, de facto, the Department already takes action to improve the general well-being and mental health of children. For example, after recent clusters of suicides, the Department used its resources to provide counsellors in schools. Part of that function was to ensure improved mental health among pupils. If I am not mistaken, there is also an area of the curriculum known as personal, social and health education. Health is specifically mentioned in that title. Therefore, de facto, the Department recognises that it has a duty with regard to health education and to maintaining the good mental health of pupils. If it currently exercises that responsibility, why should it not be reflected in legislation, if, as you say, the Department seeks to promote the holistic development of the pupil?

**Mr Stewart:** I agree with you entirely. The issue is quite a narrow one. If we are to have two Departments with a statutory duty that is focused on well-being, careful thought would need to be given to the boundaries or the relationship between those respective duties. The thing that we need to avoid in law is having two very similar duties, the extent of which is not clear. That could be a recipe for disagreement between Departments or service recipients as to who is responsible for what.

**Mr D Bradley:** The word "cultural" has also been included. On the basis of what you have just said, you could argue that it should not be included because there is a Department of Culture, Arts and Leisure.

**Mr Stewart:** There is, but I do not believe that the Department of Culture, Arts and Leisure has a statutory duty to promote cultural development in schools; therefore, there is not the same overlap. However, there would be a clear overlap between the general duty of the Department of Health, Social Services and Public Safety and that of the Department of Education were we to add a duty to promote mental well-being. I am not saying —

**Mr D Bradley:** Does the Department have a duty to promote health in schools?

**Mr Stewart:** It has a duty to promote health and well-being for people of all ages.

I am not saying that the promotion of good mental health in schools should not be done. I am saying that if the Assembly and the Executive are minded to do so, it would require careful thought. The thing to be avoided would be a lack of clarity, or perhaps a gap between, or overlap in two statutory duties.

**Mr D Bradley:** It is clearly something that the Minister is very much aware of and concerned about. Perhaps if she was made aware of the concerns of Committee members, she would be minded to examine a way of incorporating the promotion of mental health in the Department's general duty as outlined in clause 2(2)(a).

**Mr Stewart:** I will not anticipate the Minister's response, but I will certainly pass on the concerns to her. However, at this stage, I suspect that she would place a particular focus on ensuring that all the public authorities and statutory agencies are playing their full part on the ground and are co-operating with colleagues in the Health Department and in other areas to ensure that there are practical programmes and interventions to tackle very real and serious issues, such as suicide. I am not sure that the Minister would see adding something into the Department's general duty as having quite the same priority. I think that she would want to place more emphasis on practical interventions on the ground, but, as I said, perhaps I should not anticipate her reply.

**Mr Lunn:** I am interested that the issue has arisen at this point. Which body raised that issue last week? None of the stakeholders raised it, did they?

**Mr D Bradley:** It was the Northern Ireland Association for Mental Health (NIAMH).

**The Chairperson:** The papers that came from that session will be formulated and sent to the Department, and members will also eventually receive those papers.

**Mr Lunn:** Fair enough; that is a body that is specifically interested in mental health, and which, presumably, places an emphasis on suicide prevention. However, proposed new article 3(1)(b) of the 1989 Order outlines six matters that the Department will have a duty to promote. It seems to me that they are all already in the curriculum in some way, and I think that

you have already said that, Chris. The mental health aspect — and you could probably throw in the broader medical aspect — have surely nothing to do with the Department of Education. It is an interesting discussion, but I wonder where the Committee is going with it.

**Mr D Bradley:** Health promotion is also included in the curriculum, but it is not reflected in the duties outlined in the Bill.

**Mr Lunn:** I await the Minister's response with interest, but I can almost anticipate what it will be.

**Mr Stewart:** Just to summarise, I would not argue that the promotion of mental health is nothing to do with the Department or with education. It clearly is, and education clearly has a vital role to play. I am merely advising of the need for caution and careful consideration of how we would frame a general duty for the Department, which, at face value, could be very similar to the general duty of the Department of Health, Social Services and Public Safety.

**Mr B McCrea:** The papers will come back from NIAMH, but it did make a compelling presentation that showed how the mental health of children has long-term effects on their educational attainment. Therefore, there are two issues: one concerns distressing matters such as suicide, while the other concerns the organisation's argument that picking up on mental distress at an early age results in a much-enhanced educational outcome. So, it is not just about well-being, it is also about enhancing educational outcome. That was the argument that that group made, and I think that the Committee should examine it.

Proposed new article 3(1)(e), which is contained in clause 23, mentions:

“an effective and efficient system of youth services”.

The Youth Service may be covered elsewhere in the Bill, but I might have missed the discussion on it. However, it is regarded by many as the Cinderella service. Do we give it more prominence? It is a fairly modest element in the Bill.

That probably ties in with the issue of multiple responsibility for 14- to 19-year-olds, which was mentioned earlier and which I accept. Clarity is needed about who will have to take our youth services forward. There is a general failing because youth services are under-resourced or are not a high enough priority or because of some other reason. Perhaps some other part of the Bill brings the issue to the fore.

**The Chairperson:** Clause 2(2)(b) places a duty on the ESA to:

“ensure the provision of efficient and effective youth services”.

The Committee agreed last week that it would flesh out clause 2(2)(b) to make it similar to clause 2(2)(a).



**Mr Stewart:** That is correct. The point is valid. We received many representations from stakeholders, and, indeed, from policy colleagues in the Department, who emphasised the importance of proper recognition being given to the contribution that youth services, and, indeed, early years educational services, make. Although they are not part of the formal system of schooling, they make a very significant — indeed, vital — contribution to the educational development of young people. Therefore, in everything that we do and say, including in the language that we use in legislation, we must not be seen to undersell or downplay the importance of, or the contribution of, youth services.

With that in mind, when we looked again at clause 2(2)(b) our view was that we had done exactly that — we had rather undersold the contribution of youth services. That is why we will attempt to make clause 2(2)(b) look much more like clause 2(2)(a). For reasons that we have gone into in the past, we cannot simply knock the two things together.

The same issue arises with clause 23, but it is constructed in a slightly different way from clause 2. One can read what will be the new article 3(1)(b) into everything that follows it. Therefore, I do not see the same need for amendment of clause 23 as there is for amendment to clause 2(2)(b). Nevertheless, your point is valid, and we need to ensure that, in everything that we do, we treat, and are seen to treat, youth services with similar esteem to that shown to the other parts of the education system.

**Mr O'Dowd:** I have no difficulty with exploring whether mental well-being can be included in that clause. However, it could be argued that the promotion of the spiritual, moral, cultural, social, intellectual and physical development of children is also looking after their mental health, because mental-health illness appears for many reasons and has many contributory factors. If one looks after all those other factors, one is, in turn, looking after children's mental health and well-being. However, if that can be explored and the Bill can be used to promote mental well-being, I have no difficulty with its inclusion.

**Mr B McCrea:** I did not want to take up too much time on the point. I realise that this is like throwing a big boulder into a millpond. However, we do not have sufficient facilities for young people other than schools. Therefore, I would like funds to be made available for a capital infrastructure programme to consider where to move young people on to in order to get them off the streets and to consider who would organise that. That seems to be a fairly chunky piece of work. However, when we look at other issues such as knife crime and alcoholism, we can see that do not have enough provision to deal with them, so the Bill might be an opportunity to put some meat on the bones. We are not talking about just a clause. Rather, let us really tackle this issue

and say clearly what we will do for 14- to 19-year-olds outside of the school environment. I think that this is an opportunity. It is not just about amending the phrases.

**Mr Stewart:** Part of the answer may come when the Committee sees the clauses on area planning in the second Bill, in which we have made it clear that the statutory duty on the ESA around area planning is not limited to schools; it will include schools, youth services and educational services. We want young people's need for youth services to be addressed in the comprehensive and strategic way that you suggest, and for that to be reflected in areas plans and, therefore, in the capital allocation and the capital programme that will be driven by the area plans.

**Mr B McCrea:** I will be guided by you as to what is possible. You were nodding in agreement when I said that we have not quite done enough, even in this first Bill. Although I accept that you might do more in the second Bill, there is a deficiency. It would be a positive step to address many of the concerns that people have raised. Maybe you can reflect on that and see whether there is anything you can do to help us with this Bill, and I will take on board what is being done in the second Bill.

**The Chairperson:** Obviously, time is an issue. We had hoped to get sight of the second Bill. Will there be anything on this amendment over the next few weeks?

**Mr Stewart:** We need to give that some further thought. I will need to consult the Minister. I am not certain whether, at this stage, the Minister would want to suggest such an amendment to the first Bill. It may be that she will take the view that the answer lies in the area planning clauses. I would not seek to convince the Committee that we will solve all the concerns and issues that exist in the Youth Service through any legislative provision. The availability of resource will always be at the centre of all that.

However, the issue that many colleagues in the Youth Service raised is that they feel that they are sometimes treated as an afterthought and that the resources that they receive are what is left over when the schools are sorted out. We will seek to address that issue by bringing the planning of youth services upfront and into the same process as the planning of schools. Of course, difficult decisions will have to be made around priorities against the background of limited resources, but at least the difficult decisions on youth services will be taken around the same table and at the same time as the difficult decisions on schools. In the past, the perception has been that that has not been the case.

**Mr D Bradley:** To return to the issue of mental health, if the word "mental" were to be inserted after "intellectual" in proposed new article 3(1)(b) in clause 23, it would then read:



“social, intellectual, mental and physical development of such children”.

To my mind, that would cover the concerns that we have raised, without offending the Department of Health, Social Services and Public Safety.

**Mr Stewart:** I do not mind offending the Department of Health, Social Services and Public Safety: we offend it quite frequently. Legislative counsel will ask me what the difference is between intellectual development and mental development. Mental well-being is significantly different from mental development. We have no difficulty in acknowledging that mental or intellectual development is the core responsibility of our Department. Mental well-being or mental health — or the absence of mental illness — is a different concept. I am not saying that it is not one that should be in our legislation, but I think that it is different.

**Mr D Bradley:** We could debate this for quite some time. I will leave the matter in your capable hands.

**The Chairperson:** Representations were made on that issue to members at the event that we attended last Wednesday, and those papers will be forwarded to the Department.

**Mr Stewart:** We look forward to seeing them.

**The Chairperson:** We would appreciate it if you could take on board the issue that has been raised. It is an important issue and one which the Committee should consider further.

**Mr D Bradley:** I want to go back to the job description for the director of education quality and standards. There is only scant reference to youth services and early years provision in comparison with the references to other aspects of the education service. That concerns me, and it indicates that, under the new regime, the position of the Youth Service and the standing of youth work will not move on from the Cinderella status described by Basil.

**Mr Stewart:** It is difficult for me to comment. You have me at a disadvantage because I have not seen the job descriptions for the various posts.

**Mr D Bradley:** It is interesting to compare them with the legislation.

**Mr Stewart:** I have not applied for any of the posts, so I have not seen the job descriptions. I wonder whether youth services might feature more prominently in the job description for the director of children’s services than it does in the job description you have in front of you. I do not know.

**Mr D Bradley:** I think that I have it here as well.

**Mr Stewart:** I feared that you might.

**The Chairperson:** As I said earlier, I must leave now to attend to another commitment. We will conclude the meeting now rather than move on to clause 24.

On behalf of the Committee, I thank Chris and Jeff. We know that you will be working hard over the summer because a raft of information has still to come back to the Committee. We trust that you will have an enjoyable summer. Thank you very much.

**Mr Stewart:** Thank you, Chairperson. We wish the same to you and the 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 (Hansard) process or changed.





# NORTHERN IRELAND ASSEMBLY

Friday 19 June 2009

## Written Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Gender Equality Strategy

**Ms Ní Chuilín** asked the Office of the First Minister and deputy First Minister if the Gender Equality Strategy is being advanced in its Department. (AQW 7531/09)

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** Our commitment to tackling gender inequality is outlined in our Programme for Government. A key driver is the Executive's Gender Equality Strategy 2006-2016. It commits the Executive to progress the work of Departments in mainstreaming gender equality into policies, strategies and activities; and to promote gender specific measures to tackle identified gender inequalities. Dedicated Equality Practitioners in all Departments have contributed to Cross-departmental Gender Equality Action Plans for 2008-2011, linked to Programme for Government priorities.

OFMDFM seeks to promote gender equality across government and more widely, by working in partnerships with key stakeholders which includes representation from across the voluntary sector.

#### Bonuses Paid to Senior Civil Servants

**Mr McGlone** asked the Office of the First Minister and deputy First Minister how much was paid in bonuses to senior Civil Servants in its Department in the year 2008/09. (AQW 8186/09)

**The First Minister and deputy First Minister:** Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Office of the First Minister and deputy First Minister in respect of performance year 2008/2009 is not yet available. It is anticipated that this information will be available in the autumn.

#### Economy

**Mr Weir** asked the Office of the First Minister and deputy First Minister what steps the Executive is taking to deal with the economic downturn. (AQO 2955/09)

**The First Minister and deputy First Minister:** Recent economic reports and commentaries have speculated that the downturn has bottomed out and the rate of economic decline is halted or slowing. To the extent that this is accurate it is, of course, encouraging and welcomed.

Nevertheless, we remain very conscious that local business and people continue to face significant challenges. But, as we mentioned in our statement to the Assembly on 20 April about the Cross Sector Advisory Forum – increasingly our focus is on recovery. We are determined to support our business and people to reclaim economic growth and row back the tide of unemployment.

We should be in no doubt that we will be dealing with the effects, costs and casualties of the recession for some time to come.

On several occasions in this Assembly we have discussed the range of measures we announced on 15 December 2008 to address the effects of the credit crunch. The economic downturn continues to be a standing item of Executive business and we continue to monitor the implementation of that package and the development of the downturn.

Ministers across the Executive are taking forward initiatives to address the variety of challenges we currently face. We have established the Cross Sector Advisory Forum and, from within that, set up a range of sub-groups to take forward the various strands of work associated with these challenges. We have appointed Ministerial chairs to each of the sub-groups to maximise the opportunity to make their work as effective as possible and allow them to work closely with lead departments. The next meeting of the full Cross Sector Forum is scheduled for 30 June 2009.

We are also continuing our direct engagement with the banks operating in Northern Ireland. We are keen to ensure that they are using the various Government credit Schemes to support business and people here. We are scheduling a further series of bank meetings to open discussions beyond the four local clearing banks.

The economy remains our top priority and continues to get our close attention.

### **Programme for Government**

**Mr Paisley Jnr** asked the Office of the First Minister and deputy First Minister what arrangements are in place to monitor the delivery of the Programme for Government. (AQO 2956/09)

**The First Minister and deputy First Minister:** The Programme for Government sets out a clear statement of our priorities and we have already delivered significant successes across a range of areas. From investment in our infrastructure, to the appointment of commissioners and advocates for victims, children and older people; from reforms in public services to delivering support to local people and businesses in the face of the economic downturn; it is clear that delivery of the programme for government generates real and tangible benefits for the people of Northern Ireland.

On 5 March, the Executive finalised the formal delivery framework for the Programme for Government. Structures and processes have been established across departments to monitor and report on performance.

A key element of the framework is the preparation of Delivery Reports setting out progress against the Programme's key goals, commitments and targets.

On 7 May the Executive commissioned the preparation of a formal Delivery Report to show progress as at 31 March 2009. This is scheduled for consideration at our meeting on 25 June.

We hope that this report will be made available to the OFMDFM Committee for its consideration before the summer recess. This will mark the first step in a wider consultation on the Programme for Government.

### **North/South Implementation Bodies and Tourism Ireland**

**Mr Gardiner** asked the Office of the First Minister and deputy First Minister, in light of the First Minister's comments on the excessive cost of the North/South Implementation Bodies and Tourism Ireland Limited, what discussions have taken place on the matter. (AQO 2957/09)

**The First Minister and deputy First Minister:** On submission of the first 2009 Business Plans from North/South Bodies for approval in January, the Minister of Finance & Personnel requested that officials examine how efficiencies could be built in to the Plans before they could be considered for approval.

We recognise that it is important that all North/South Bodies, like all other public bodies, should seek to deliver their objectives and programmes more efficiently, particularly during the current global economic downturn.

Discussions are ongoing between officials from the Department of Finance and Personnel and their counterparts in the Department of Finance in Dublin regarding the scope for additional cumulative cash releasing efficiency savings to be delivered by all North/South Bodies for 2009 and 2010.

An examination of the efficiency and value for money of the existing Implementation Bodies and Tourism Ireland Limited is underway as part of the St Andrews Agreement Review. The Review Group will submit a report on the recommendations coming out of the review to a future NSMC Plenary. Until that happens it would not be appropriate for us to comment further.

## Efficiency Review Panel

**Mr Irwin** asked the Office of the First Minister and deputy First Minister when the Efficiency Review Panel will begin its work. (AQO 2958/09)

**The First Minister and deputy First Minister:** On 9 April 2009, we announced our intention to appoint an Efficiency Review Panel. We intend to put proposals for the creation of the Panel to the Assembly soon for approval.

The first task of the Panel will be to examine the number and organisation of Departments in the light of the present financial pressures and the implications of the Review of Public Administration, and to ensure that the departmental structure is best organised to deliver public services in an efficient manner. It is our intention to appoint the Panel in time for it to report on this work later in the year, as envisaged in our 9 April announcement.

The review will be on the basis of both fairness and efficiency, taking account of the requirement to protect the safeguards which ensure the Executive is representative of the community and can participate and work together successfully in the operation of the institutions.

The establishment of an Efficiency Review Panel was provided for in the St Andrews Agreement, and there is also a commitment in the Programme for Government to review the overall number of Government departments by 2011. We are very aware of the need for greater efficiency and effectiveness in the delivery of public services.

## Devolution

**Mr Craig** asked the Office of the First Minister and deputy First Minister if the Executive has a strategy to highlight the benefits of devolution. (AQO 2959/09)

**The First Minister and deputy First Minister:** We are very aware of the importance of demonstrating to the public the benefits of locally elected Ministers making decisions on their behalf. The Executive is making a difference and it is important that this message is communicated. Ministers have a collective responsibility to communicate key decisions made by this Executive and we can already point to a number of important decisions which have been taken, including:

- We have taken direct action to support local business and people.
- We froze domestic regional rates, making the average local household £1000 better off.
- We have waived domestic water charges for 2007/08, 2008/09 and again for 2009/10. In comparison to what Direct Rule Ministers wanted to charge, this is a saving of over £600 for every household.
- We are reducing the cost of prescriptions.
- We have implemented the fuel credit scheme for the most disadvantaged households.
- We have used capital spending of our investment strategy to support construction - £1.4bn last year.
- We used December monitoring to bring forward spending on roads, schools and farms to support the construction sector.
- We have established the Cross Sector Advisory Forum to enhance our ability to stay in touch with local interests across the community.

These are just some of the benefits of devolution. The challenge for the Executive is to ensure that people can see the value of locally elected Ministers who are more attuned to their needs, making decisions on their behalf. OFMDFM is also working on a draft communications strategy for consideration by Ministers.

## Efficiency Review Panel

**Mr Easton** asked the Office of the First Minister and deputy First Minister for its assessment of the work of the Efficiency Review Panel. (AQO 2960/09)

**The First Minister and deputy First Minister:** On 9 April 2009, we announced our intention to appoint an Efficiency Review Panel. We intend to put proposals for the creation of the Panel to the Assembly soon for approval.

The first task of the Panel will be to examine the number and organisation of Departments in the light of the present financial pressures and the implications of the Review of Public Administration, and to ensure that the

departmental structure is best organised to deliver public services in an efficient manner. It is our intention to appoint the Panel in time for it to report on this work later in the year, as envisaged in our 9 April announcement.

The review will be on the basis of both fairness and efficiency, taking account of the requirement to protect the safeguards which ensure the Executive is representative of the community and can participate and work together successfully in the operation of the institutions.

The establishment of an Efficiency Review Panel was provided for in the St Andrews Agreement, and there is also a commitment in the Programme for Government to review the overall number of Government departments by 2011. We are very aware of the need for greater efficiency and effectiveness in the delivery of public services.

### Efficiency Review Panel

**Mr B McCrea** asked the Office of the First Minister and deputy First Minister when it will appoint an Efficiency Review Panel, as announced on 9 April 2009. (AQO 2963/09)

**The First Minister and deputy First Minister:** We intend to put to the Assembly soon, for approval, proposals for the creation of an Efficiency Review Panel. The first task of the Panel will be to examine the number and organisation of Departments in the light of the present financial pressures and the implications of the Review of Public Administration, and to ensure that the departmental structure is best organised to deliver public services in an efficient manner. The review will be on the basis of both fairness and efficiency, taking account of the requirement to protect the safeguards which ensure the Executive is representative of the community and can participate and work together successfully in the operation of the institutions. It is expected that the Panel will report on this work later this year, as indicated in our announcement of 9 April 2009.

### Water Charges

**Mr G Robinson** asked the Office of the First Minister and deputy First Minister when the Executive last discussed water charges. (AQO 2965/09)

**The First Minister and deputy First Minister:** It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

### Childcare

**Mr McElduff** asked the Office of the First Minister and deputy First Minister to report on the work of the Executive sub-group dealing with departmental responsibility for childcare provision, including support for after school clubs. (AQO 2966/09)

**The First Minister and deputy First Minister:** A Child Poverty Sub-Group of the Ministerial Sub-Committee on Children and Young People is currently considering the issue of childcare provision. The Group has completed a Preliminary Report and it is hoped to present this to the Ministerial Sub-Committee on Thursday 18th June.

In the interim, pending Executive approval for the reallocation of OFMDFM resources in the June Monitoring Round, funding will be made available to allow the after-school clubs to continue to operate until August 2009.

Work is ongoing to identify if further monies will be available.

### Maze/Long Kesh

**Mr Butler** asked the Office of the First Minister and deputy First Minister what options are under consideration for the development of the Maze/Long Kesh site. (AQO 2967/09)

**The First Minister and deputy First Minister:** We would refer the Member to our reply to AQW 7314/09 on 15 May 2009.

We are currently examining the policy and legislative framework necessary to set up and empower a Development Corporation to drive forward the regeneration work.



Proposals for the regeneration of this regionally significant and strategically located site will be brought forward as soon as possible by the Corporation. This process is at a very early stage and whilst the development of the site will be a matter for the Development Corporation we can reassure the Member that in due course full consultation will take place with the public and with all interested stakeholders to ensure that whatever uses of the site are chosen, Maze/Long Kesh will be regenerated to ensure the maximum possible benefit to the whole community.

### Quangos

**Rev Dr Robert Coulter** asked the Office of the First Minister and deputy First Minister to detail the total amount spent annually on all its Department's Quangos, since 2007. (AQO 2968/09)

**The First Minister and deputy First Minister:** The Department spent approximately £26.427 million on Quangos in the 2008-09 financial year. In 2007-08, OFMDFM spent £25.050 million. The figures provided in the table below have been taken from the Departmental Resource Accounts for 2007-08 which have been audited by NIAO and the 2008-09 Departmental Resource Accounts which are as yet unaudited.

Body	2007-08 (£000's)	2008-09 (£000's)
Economic Research Institute of NI	920	969
NI Commissioner for Children and Young People	1,892	1,853
Strategic Investment Board	7,377	7,609
ILEX	1,852	1,424
Equality Commission for NI	7,294	7,185
Community Relations Council	5,715	7,387
<b>Total</b>	<b>25,050</b>	<b>26,427</b>

### Central Freedom of information Team

**Mr McCallister** asked the Office of the First Minister and deputy First Minister on how many occasions since 2005, has the Central Freedom of Information Team issued guidance notes to Departments and other public bodies. (AQO 2969/09)

**The First Minister and deputy First Minister:** An annual breakdown of the number of guidance notes issued by the Central Freedom of Information (FOI) team is set out in the table below. Since 2006 the Central FOI team has taken forward a programme of work to enable Departments to manage more routine FOI requests without requesting guidance. This work includes the delivery of briefings to Senior Civil Servants, seminars on the application of exemptions and the production of a new range of training courses informed by the experience of processing requests. The success of this programme has resulted in fewer requests for guidance and has allowed the Central team to focus on providing advice on the most complex and sensitive cases.

Year	Number of guidance notes issued by Central FOI team
2005	14
2006	80
2007	64
2008	29
2009 (to 29 May)	12

## Cohesion, Sharing and Integration Strategy

**Mrs Long** asked the Office of the First Minister and deputy First Minister for an update on the Cohesion, Sharing and Integration Strategy. (AQO 2970/09)

**The First Minister and deputy First Minister:** We refer the Member to the answer to AQO 2838/09. Our comments then are equally applicable to this question.

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

### Bonuses Paid to Permanent Secretary

**Mr McGlone** asked the Minister of Agriculture and Rural Development how much was paid in bonuses to her Department's Permanent Secretary in each of the last five financial years. (AQW 8134/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Combined salary and bonus information for the Permanent Secretary of DARD is currently provided through Resource Accounts in £5k bands, available from [www.dardni.gov.uk](http://www.dardni.gov.uk). It is our policy not to disclose the remuneration details of individual civil servants, other than in broad terms.

There is widespread public anger at the large bonuses being paid to public servants who are already in receipt of substantial incomes. As Minister, I share this concern and want a review to be undertaken on this matter.

### EU Financial Disallowance

**Mr P J Bradley** asked the Minister of Agriculture and Rural Development to outline dates and monetary details of all EU disallowance decisions against her Department since she took up office. (AQW 8190/09)

**The Minister of Agriculture and Rural Development:** No financial disallowance has been imposed on DARD since May 2007. However, during the period in question, the Commission have ratified financial corrections imposed due to late payments (i.e. payments being made after the payment window and in excess of the allowable 4% franchise) and for breaching RD Ceilings. These are as follows:

Ad hoc Decision	Date of Decision	Amount	Reason/Financial year
24 2004	18-Apr-07	£1.496m	Late Payments/breaches of Ceilings FY 2004
26	21-Dec-07	£1.803m	Late Payments/breaches of Ceilings FY 2005
29	08-Dec-08	E 0.572m (Euro)	Late Payments/breaches of Ceilings FY 2007

There has been a delay in the Commission ratifying the decision for the FY 2006 year.

On 22 October 2008, the Commission also proposed a financial correction as follows:

Amount Correction	Reason/ Financial Year
£1,756,082.24	arable crops and animal premia FY 2004
£11,864,577.83	area based premia FY 2005
€18,601,952.89	area based premia FY 2006

### Bonuses Paid to Senior Civil Servants

**Mr McGlone** asked the Minister of Agriculture and Rural Development how much was paid in bonuses to senior Civil Servants in her Department in the year 2008/09. (AQW 8199/09)

**The Minister of Agriculture and Rural Development:**

Year	Total Amount Paid
2008/2009	£124,250

There is widespread public anger at the large bonuses being paid to public servants who are already in receipt of substantial incomes. As Minister, I share this concern and want a review to be undertaken on this matter.

### Strangford Lough: Limit of Creel

**Mr Shannon** asked the Minister of Agriculture and Rural Development if she would be prepared to consider setting the limit of creel for Strangford Lough at 200 rather than 150. (AQW 8261/09)

**The Minister of Agriculture and Rural Development:** My Department is currently consulting on the Strangford Lough Pot Fishing Management Plan. Following this consultation, which is due to conclude on the 6th July, my officials will consider the responses received and make recommendations on how to take this plan forward. I have noted your comments in relation to the suggested number of creels.

### Strangford Lough: Limit of Creel

**Mr Shannon** asked the Minister of Agriculture and Rural Development what discussions she has had with fishing organisations to agree the creel numbers on Strangford Lough. (AQW 8262/09)

**The Minister of Agriculture and Rural Development:** Since my meeting with you, John McCallister and representatives of the Strangford Lough fishermen on the 11 October 2007 my officials have met with the representatives of the Strangford Lough Fishermen's Association on 16 November 2007, 16 January 2008 and 20 March 2008. During these meetings, held to develop the proposed measures to be included in Strangford Lough Pot Fishing Management Plan, suggestions were put forward to set the creel/pot limit at 150 per commercial fisher. My officials met the Strangford Lough fishermen and their representatives on 21 May 2009 to discuss the current consultation.

### Wildflower Growth

**Mr Shannon** asked the Minister of Agriculture and Rural Development what action she is taking to encourage hay seed and wildflower growth to increase the population of honeybees and bumblebees. (AQW 8276/09)

**The Minister of Agriculture and Rural Development:** DARD recognises the importance of bees in particular, as pollinators, through its agri-environment schemes. The new Countryside Management Scheme (CMS), launched in June last year, includes a specific measure – a pollen and nectar mixture – which contains a mix of legumes flowering at different times to provide a habitat with a continuous supply of pollen and nectar for bees, butterflies and other insects.

There are several other options in new and existing agri-environment schemes which are also beneficial to bees. These include:

- Rough grass margins where minimal disturbance benefits ground nesting bumblebees;
- Conservation cereals with reduced pesticide and herbicide input;
- Tree planting and planting of traditional orchards where apple trees, rowan, whitebeam, hazel and holly are pollinated by bees;
- Wild bird cover which contains kale and weeds of arable land which may be pollinated by bees;
- Hedgerow restoration where hawthorn, gorse and blackthorn are all pollinated by bees; and

- Responsible management of field boundaries, in particular, cutting on a rotational basis.

Further information is available in the Countryside Management Scheme 2007 – 2013 Information booklet available at the link below.

[http://www.ruralni.gov.uk/nicms\\_cmb.pdf](http://www.ruralni.gov.uk/nicms_cmb.pdf)

### Rural Development Programme

**Mr Burns** asked the Minister of Agriculture and Rural Development what measures are in place to ensure that individual farmers will have access to funding from the Rural Development Programme. (AQO 2976/09)

**The Minister of Agriculture and Rural Development:** To ensure that individual farmers can access funding under the Rural Development Programme, my Department has undertaken a comprehensive public advertising campaign with the aim of promoting the Programme widely, and encouraging farmers, their families and rural communities to apply. This campaign has included television advertising, adverts and special features in the local and farming press, a new Rural Development Programme website, and an information pack containing details of the range of funding and support available. The information pack, which contains details of how, when and where to apply for funding, has been available to farmers since January this year, and can be requested via a local rate phone call. Information packs are also available at local DARD offices across the North, and are distributed directly to farmers at numerous public events, such as Balmoral Show. My Department also works in partnership with a delivery agent for Axis 1 of the Programme and with seven joint council committees and Local Action Groups who administer Axis 3 of the Programme at local level. These delivery bodies undertake their own advertising and promotional activity for the funding measures for which they are responsible, with the aim of encouraging as many individual farmers, and others, to access Rural Development Programme funding.

### Rural Development Programme

**Mr McCallister** asked the Minister of Agriculture and Rural Development for her assessment of the current status of the Rural Development Programme within each of the seven council clusters. (AQO 2977/09)

**The Minister of Agriculture and Rural Development:** The strategies have now been assessed and as you know I previously announced the final allocations of funding to the seven areas. My officials are currently working with the areas to finalise their implementation plans. These plans will form an integral part of the legal contracts.

There has been a period of intense activity between legal representatives of Joint Council Committee and my officials. The Joint Council Committee's are now tasked with providing my officials with their final comments and the indications are that they hope to complete the contract by the end of June. This will enable Joint Council Committee's to issue letters of offer for funding in July.

### Information Technology and Customer Service

**Mrs O'Neill** asked the Minister of Agriculture and Rural Development what action her Department has taken to develop Information Technology and customer service. (AQO 2978/09)

**The Minister of Agriculture and Rural Development:** My Department has an on-going programme to improve the way that we use Information Technology to deliver services effectively. This is an area I am particularly keen on, as I feel there is tremendous opportunity for new technology to make things easier for our customers. Farmers and their agents are now able to use APHIS-on-line to register births and deaths of cattle, order ear tags or notify movements electronically. They can also submit their Single Application Form which includes the Single Farm Payment on-line, and they can access benchmarking data to help improve business performance.

We all have a dream of paperless bureaucracy and I was particularly pleased that the new NI Countryside Management Scheme uses a paperless application process underpinned by a sophisticated IT system in the background to carry out checks and determine eligibility.



The advances we have made in using IT were recognised at the 2009 Government Computing Awards where DARD's Single Application Form IT system won the overall category for business services, and the extension of APHIS-on-line to markets and meat plants was shortlisted for the delivering efficiency award.

I am keen to build on this success and encourage increased uptake of these electronic services by the industry. I'm also committed to extending the range of services available.

### Farm Nutrient Management Scheme

**Mr Gallagher** asked the Minister of Agriculture and Rural Development if work carried out by some applicants to the Farm Nutrients Management Scheme in 2008 will not be inspected until the end of 2009 and whether the applicants will be denied the outstanding element of their grants until after that time. (AQO 2979/09)

**The Minister of Agriculture and Rural Development:** My Department has received 3,938 claims under the Farm Nutrient Management Scheme and has so far paid out just over £92m in grant aid. A quarter of claims were received in the last few days before the scheme closed on 31 December 2008. Whilst we are making every effort to have remaining claims inspected as quickly as possible, those that lodged claims at the end of the claim period have been made aware that they will receive their inspection not later than November 2009. In August last year I had introduced a part payment option which enables up to 50% of the claim to be paid prior to inspection precisely because I predicted there would be a late surge in claims. I also issued a press release around that time which encouraged farmers to get their claims in early as I was mindful of the need to help farmers' maintain their cash flow. Whilst I am very pleased that the number of claims received are at the top end of expectations, this nonetheless presents a logistical problem in getting all claims inspected. My officials are inspecting claims largely in date order of receipt and on 27 May past we wrote to all those still to be inspected explaining when they can expect to receive their inspection relative to when their claim was received. I have also more than doubled the number of inspectors on FNMS inspection duties to 28 but as this is public money, full or balance payment of grant aid under FNMS cannot be paid until the claim has successfully passed inspection.

### Rural Tourism: Planning Permission

**Mr K Robinson** asked the Minister of Agriculture and Rural Development what contact she has had with the Minister of the Environment in relation to the difficulty in gaining planning permission for rural tourism initiatives. (AQO 2980/09)

**The Minister of Agriculture and Rural Development:** As Minister for Agriculture and Rural Development I am very aware of the need to ensure that all Executive policies complement each other to ensure a thriving and sustainable rural community and environment. The current Rural Development Programme, under Axis 3, contains a measure that supports rural tourism initiatives and will be worth in excess of £15 million to rural areas. Rural tourism type initiatives can also be supported through the farm diversification measure of the Rural Development Programme and the Quality of Life measures, so there is a great opportunity to give a significant boost to our rural tourism product.

However I am aware of the impact planning policies could potentially have on all manner of projects in the countryside. To that end I am a member of the Ministerial group that is currently reviewing rural planning policy that is chaired by the Minister for the Environment. On this group I have continued to articulate the need for planning policy to be complementary to my Department's policy of ensuring a sustainable rural economy. Whilst I recognise the need to protect the countryside there is also a need to develop and support rural communities and business opportunities. I have also raised and will continue to raise, the need for rural needs to be fully considered in the wider planning reform proposals, to recognise local circumstances and ensure that planning policy requirements are proportionate to local need.

### Strangford Lough: Fishing

**Mr Shannon** asked the Minister of Agriculture and Rural Development, in relation to the fishing allowance proposals for Strangford Lough, what consideration has been given to recreational creel fishermen, as opposed to those who do it for a living. (AQO 2981/09)

**The Minister of Agriculture and Rural Development:** My Department issued a consultation on 6 April 2009 to seek views on proposals for a Strangford Lough Pot Fishing Management Plan. The consultation closes on 6 July after which responses will be considered and recommendations made for regulations to implement the scheme. The consultation includes a number of proposals related to recreational pot fishing, these include:-

- All pot fishing including recreational activity will be controlled by permits specific to Strangford Lough.
- The Department will place a cap on the number of commercial and recreational pot fishing permits issued and the number of pots per permit
- Both the number of permits and the maximum number of pots per would depend on scientific advice about the total number of pots that fish stocks in the Lough could sustain.
- The consultation suggests 150 pots per commercial permit and 5 pots per recreational permit.
- All pots both commercial and recreational must be marked individually with a tag provided by the Department.

These measures are seen as vital to ensure a sustainable long term pot fishery within the Lough.

### Animal Welfare

**Ms Lo** asked the Minister of Agriculture and Rural Development what discussions she has had with the USPCA concerning the increase in the number of abandoned animals and pets due to the economic downturn. (AQO 2982/09)

**The Minister of Agriculture and Rural Development:** To date I have had no discussions with the USPCA on this specific issue.

However, I did meet representatives from the USPCA on 19 May as part of a delegation from the NI Companion Animal Welfare Council, which also includes The Blue Cross, the Dogs Trust, Animal Welfare Federation and other local animal welfare groups. During the meeting the issue of abandoned horses was raised by one participant. I agreed to consider what might be done to address these issues in any new animal welfare legislation that I bring forward.

During the meeting, Council members welcomed the fact that I intend to seek Executive approval shortly after the summer recess to bring forward a new comprehensive Animal Welfare Bill. This Bill will reflect the concerns of the many stakeholders that I have met during my Review.

It is, of course, an offence under the Welfare of Animals Act (Northern Ireland) 1972 to abandon any animal, whether permanently or not, in circumstances likely to cause the animal any unnecessary suffering. The PSNI is responsible for enforcing this legislation with regards to non-farm animals. Under the Dogs Order 1983, it is an offence to keep a dog without a licence, and it also an offence to allow a dog to stray. Local Councils are responsible for enforcing this legislation and may seize any stray dog. In addition, Councils can, at the request of the owner of an unwanted dog, arrange for the collection or disposal of that dog.

From 1 July 2009, new EU Regulations will come into force strengthening the link between a horse and its passport document. As part of our implementation of these Regulations, all horses born here after this date will be required to have a microchip implanted and the microchip number recorded on a national database. This will make it easier to identify abandoned horses, and trace them back to their owner.

### Single Farm Payment Scheme

**Mr P J Bradley** asked the Minister of Agriculture and Rural Development, since the inception of the Single Farm Payment Appeals system, how many recommendations were overturned where the Independent Appeals Panel found in favour of the appellant and the Independent Review Panel found in favour of her Department. (AQO 2983/09)

**The Minister of Agriculture and Rural Development:** Since the inception of the Single Farm Payment Review of Decisions process to date, the External Panel has considered and made recommendations in respect of 346 Single Farm Payment cases. Fifty of these cases are currently on hold pending the outcome of Judicial Review (this includes duplicate field cases) and, in 13 cases, the recommendation is currently under consideration. In one case the appellant withdrew their case before the Panel's recommendation could be considered.

This means that decisions have been made in respect of 282 of the Panel's recommendations. These are broken down as follows:-

- In 212 cases the Panel agreed with my Department's original decision and recommended that the decision was not changed. However, in 2 of these cases the Panel recommendation was not accepted and the decision was changed in part.
- In 54 cases the Panel recommended that my Department's decision be changed in full. Unfortunately, as 18 of these recommendations were not in keeping with the EU rules the recommendation was rejected. In 7 of the 54 recommendations while not accepting the Panel's recommendation my Department's decision was changed in part.
- In 16 cases the Panel recommended that my Department's decision be changed in part. As 2 of these recommendations were not in keeping with the EU rules the recommendation was not accepted.

In a number of cases, the Panel recommendations are not in keeping with the framework of EU regulations and regrettably these recommendations have not been accepted. However I am pleased to say that in the majority of cases I, and my predecessors, have been able to accept the majority of the Panel recommendations.

### **Dioxin Contamination: Compensation**

**Mr Beggs** asked the Minister of Agriculture and Rural Development if she will continue to pursue the Irish Government for compensation in relation to the dioxin scare. (AQO 2984/09)

**The Minister of Agriculture and Rural Development:** As I have already intimated in my answer to your oral question in May that a number of interventions were made by the First and Deputy First Ministers, DETI Minister and myself in relation to seeking compensation from the South. The South confirmed that due to legal and financial constraints they cannot provide any financial assistance to producers and processors in the North.

It would be for the Executive to decide whether they wish to pursue this issue further; however it does not preclude any legal action by producers and processors affected by the incident.

### **Rural Childcare Programme**

**Mr McElduff** asked the Minister of Agriculture and Rural Development to report on the Rural Childcare Programme launch at Eskra Childcare Centre on Tuesday 9 June 2009. (AQO 2985/09)

**The Minister of Agriculture and Rural Development:** With your permission Mr Speaker I will answer questions 2 and 15 together.

Shortly after I took office I initiated the Rural Childcare Stakeholder Group [July 2007] and was pleased to present its report "Rural Childcare, Investing in the Future" to the Ministerial Sub Committee on Children and Young People in March 2008.

This report has a number of cross cutting recommendations, as well as recommending that DARD develop a rural childcare programme. My officials are working with other Departments on the cross cutting recommendations for rural childcare as part of the development of the Rural Champion concept and the Rural White Paper.

I am delighted to say that the Rural Childcare Programme has just recently opened for applications and will be funded from the Department's Rural Anti-Poverty and Social Inclusion Framework budget. I formally launched the programme on Tuesday 9 June during a visit to the Eskra Childcare Centre in Co. Tyrone – an excellent example of a rural community working together for the good of all the community. The programme is worth £1.5 million and its overall objective is to improve childcare provision in rural areas by providing solutions that address the distinct challenges faced by rural areas in relation to the delivery of, and access to, rural childcare services.

Through the Programme we will provide funding to support the development of a series of pilot or demonstration projects that will be evaluated and the evidence collected will then act as the basis for the development of future policy and priorities in the area of rural childcare provision. By improving the level of information on the provision of rural childcare this Rural Childcare Programme has the potential to help bring about great improvements in the lives of local women and children, to support families and to contribute to the economic and social development of rural areas of the north of Ireland. I am therefore confident that this new innovative programme will provide a significant contribution towards a better future for rural communities, will lead to increased opportunities and choice for rural parents for taking up employment or training, and will assist rural development.

The Rural Childcare Programme and the Rural Childcare report both complement other work going on in the Executive, such as Lifetime Opportunities and the work being carried out by the Ministerial Sub Group for Children and Young People, as well as informing the Early Child Development - Early Years Strategy for 0-6 year olds.

### Common Agricultural Policy

**Mr McKay** asked the Minister of Agriculture and Rural Development to detail the process of negotiation on the reform of the Common Agricultural Policy, and what steps she will be taking to ensure that the views of farmers are represented. (AQO 2986/09)

**The Minister of Agriculture and Rural Development:** At present, changes to the Common Agricultural Policy (CAP) are made by a qualified majority vote at the EU Council of Ministers following a proposal from the EU Commission and after an opinion is given by the European Parliament.

The usual process of negotiation is that the Commission presents a proposal to the EU Council of Ministers and the European Parliament. Over a period of months, Member State governments set out their views and attempt to convince the Commission to make changes to the proposals. During this time the European Parliament gives their opinion and when this is received, the EU Council of Ministers proceeds to reach an agreement in conjunction with the EU Commission. At the moment therefore, the Commission and the Council have the most influence on the shape of any legislative proposal that will further reform the Common Agriculture Policy.

Farmers can make their views known through the usual consultation process. Prior to the recent agreement of the CAP Health Check there were two consultations.

In order to ensure that the views of farmers are represented, it is vital for me to influence the Commission, Member State governments and MEPs. Since taking up office, I have been to Brussels and Luxembourg twelve times on behalf of the North including regular meetings with EU Commissioner, Mariann Fischer Boel with whom I have developed a good relationship. This has enabled me to communicate the views of our farmers directly to the Commission. I have continual contact with Defra, Scottish and Welsh Ministers and frequent discussions with Irish Ministers. The North/South Ministerial Council has also proved to be a very useful forum in making our views known to the DAFF Ministers. I have been proactive in seeking meetings with all our local MEPS both in Brussels and here at home and I intend to continue this approach in the future. My officials also maintain close working relationships with the various agricultural administrations.

By taking the actions outlined above, I managed to obtain a desirable outcome on the CAP Health Check in November 2008. My attention is now turning to the next round of CAP reform and I have already made my views clear on continuation of Single Farm Payment in the future during a speech at Balmoral show attended by Commissioner Fischer Boel. I will continue do my utmost to engage with the European institutions to further the interests of our farmers and to obtain the best outcomes possible.

### Forest: Recreation

**Mr Boylan** asked the Minister of Agriculture and Rural Development for an update on plans to increase recreational use of forests and, in particular, mountain biking in South Down. (AQO 2988/09)

**The Minister of Agriculture and Rural Development:** A Strategy for the Recreational and Social Use of our Forests will be launched on 1 July. This will contain proposals to develop the potential of our forests to deliver a wider range of recreation, sport, health and educational opportunities and to encourage more visitors to our forests. In particular, it commits Forest Service to develop partnerships with a range of public and private sector service providers in order to secure a more diverse range of facilities and attractions.

The opportunities for mountain biking in forests in the South Down area are being considered in conjunction with local councils and other interested parties including the Northern Ireland Tourist Board. My officials will continue to explore the possibilities for mountain bike trail development with stakeholders.



## Bees

**Mr Cree** asked the Minister of Agriculture and Rural Development what action she has taken to address the decline in the number of bee colonies. (AQO 2989/09)

**The Minister of Agriculture and Rural Development:** Contrary to claims there is no evidence that average bee losses here last year were outside of the normal over-wintering ranges, although obviously individual hive losses will vary widely. In order to gauge losses here, AFBI recently carried out a survey of the beekeeping industry, with nearly 100 respondents. The survey found that average colony losses reported here this year were at 22%, which is around the upper end of the range of normal over-winter losses.

I remain committed to reducing the risks of bee diseases here, and have recently put a draft Bee Health Contingency Plan to the main industry representatives, so that we can work together to mitigate threats to the island's bees. The Contingency Plan sets out action to be taken in the general case of an emergency response to the introduction of a bee pest or disease. I am confident that with an agreed Contingency Plan in place later this year, DARD and the industry will be in a strong position to work together to keep out threats to bees and to beekeeping here.

I am also in the process of developing a Bee Health Strategy for the North, which will be the subject of an industry-wide consultation later in the year.

My Department recognises the importance of bees through its agri-environment schemes. Under these schemes, in 2007 alone, my Department helped widen the bee environment here through the restoration of 570km of hedgerow field boundaries; the sowing of 360ha of conservation cereals; the planting of 1700ha of wild bird cover, 70ha of traditional orchards, 620ha of other trees and the maintenance of around 350ha of rough grass margins.

## Brucellosis

**Mr Doherty** asked the Minister of Agriculture and Rural Development what progress is being made in the 'Brucellosis Initiative' and to detail the steps being taken. (AQO 2990/09)

**The Minister of Agriculture and Rural Development:** I am pleased to report that excellent progress is being made in relation to the Brucellosis Initiative that I announced in spring 2008. This is reflected in the declining disease levels. The incidence of brucellosis has been dropping since the latter half of 2008. It has almost halved in the 6 month period from Sept 2008 to March 2009 and the number of herds under restriction in May 2009 (48) is approximately one third of the number that was restricted in May 2008.

The initiative had 3 key objectives:-

- (i) Consistent and effective application of established procedures.
- (ii) Engaging with the local farming communities to secure compliance with the essential elements of the disease control programme.
- (iii) Continuous evaluation and improvement of the scheme.

To achieve these objectives, brucellosis is now being managed by a combined Veterinary Service, HQ - Implementation Management Team which has reviewed all aspects of brucellosis control and developed an extensive programme of initiatives and improvements. These have been developed under 10 key headings:-

- Successful disease detection.
- Resource Management.
- Testing of risk herds and moved animals.
- Financial considerations.
- Cattle demographics.
- Farm Management Standards.
- Training and Education of staff and farmers.
- Brucellosis Scheme Management.
- Compliance and Enforcement issues.
- Computer support for the scheme.

In addition, local Brucellosis Farmers' Liaison Groups have been developed in high disease areas. The role of the Liaison Groups is to improve working relationships with farmers, to improve communication about disease risks and how to protect their herds.

I am pleased to see that these changes are leading to reductions in disease and I intend to build further on this success and press towards the eradication of brucellosis.

## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### North West 200

**Mr Paisley Jnr** asked the Minister of Culture, Arts and Leisure when the last economic appraisal of the North West 200 was completed. (AQW 8210/09)

**The Minister of Culture, Arts and Leisure (Mr Campbell):** Sport Northern Ireland (SNI) completed an economic appraisal for health and safety improvements to the paddock area of the NW 200 circuit in May 2009.

In addition to this, in 2008/09, the Department's Events Unit undertook an internal assessment of the economic benefit of the NW 200 including a proposal for the appointment of a Business Development/Operations Manager.

More recently, I have asked the Events Unit to prepare draft terms of reference for an independent economic impact assessment of the event.

### Poland – Northern Ireland International Football Match

**Mr Ross** asked the Minister of Culture, Arts and Leisure to detail the discussions he has had with the Irish or Polish Football Associations in relation to the change of venue for the Northern Ireland - Poland World Cup qualifying match scheduled for September; and what assistance can be offered, financial or otherwise, to those Northern Ireland fans who have already booked flights or hotels for the match. (AQW 8364/09)

**The Minister of Culture, Arts and Leisure:** I have had no discussions with the Irish or Polish Football Associations in relation to the change of venue for the Northern Ireland – Poland game as decisions regarding the venue for an international football match are the responsibility of the relevant Football Association of the home country. In the first instance, it would be a matter for the Irish Football Association (IFA) to contact the Polish Football Association to discuss a change of venue. Fans who have already booked flights or hotels should, in the first instance, contact the IFA or their existing travel insurance company.

### Economy: Arts

**Dr Farry** asked the Minister of Culture, Arts and Leisure for his assessment of the potential of arts organisations to contribute to economic recovery. (AQO 2997/09)

**The Minister of Culture, Arts and Leisure:** The arts and creative sector makes a very significant contribution to the cultural, social and economic life of all in Northern Ireland. Many aspects of the sector contribute directly and indirectly to the development of our economy. These include:

- The contribution of the sector to employment, both within the creative sector and in other sectors;
- Developing and strengthening our Cultural Tourism offering;
- Investment in the construction industry through major arts capital programmes. This has helped to sustain and create jobs;
- Physical and community regeneration, which in turn contribute to economic regeneration; and
- Education.

In addition, the Northern Ireland Screen Commission, which is one of DCAL's arms length bodies, has recently secured two major multi-million pound productions for Northern Ireland, drawing in foreign direct

investment to bolster our economy. This will help to sustain and grow the local film industry, whilst also making a significant contribution to the wider economy.

It is essential that we continue to support and invest in the arts sector to maximise the economic, social and cultural benefits which this sector has generated, and will continue to generate. I believe that continued investment in our arts and creative sector is an essential aspect of Northern Ireland's economic recovery.

### **Irish and Ulster-Scots Funding**

**Mr O'Loan** asked the Minister of Culture, Arts and Leisure to outline (i) whether he intends to have parity in terms of the Irish and Ulster-Scots languages, or whether funding for Ulster Scots includes other aspects of Ulster-Scots Culture; (ii) which piece of legislation compels him to ensure equality of funding between Irish and Ulster Scots; and (iii) whether there will be equality in terms of the criteria for funding for Irish and Ulster-Scots language development. (AQO 2998/09)

**The Minister of Culture, Arts and Leisure:** The Ulster-Scots Agency's remit is the promotion of culture, heritage and language issues, and Foras na Gaeilge is tasked solely with the promotion of the Irish language. It is my view that good relations cannot be built on uneven foundations and the promotion of one must be based on an equitable approach to the other.

It is my intention to achieve a position where the funding allocations to the Ulster-Scots Agency by my Department matches the funding allocation to Foras na Gaeilge.

### **Pollution: Fish Stocks**

**Mr K Robinson** asked the Minister of Culture, Arts and Leisure how much has been spent on pollution prevention measures to protect existing and new fish stocks, since he announced the restocking of departmental waters on 3 February 2009. (AQO 2999/09)

**The Minister of Culture, Arts and Leisure:** The Northern Ireland Environment Agency are responsible for policing and prevention of pollution incidents.

My Department is not responsible for developing measures to tackle pollution. My officials work closely with the Northern Ireland Environment Agency to assist in the investigation of incidents in rivers impacting on fish stocks.

The Department undertakes stocking of put and take fisheries such as those announced on 3 February 2009. These fish are stocked as an angling product and this is distinct from restocking after pollution incidents which involves the rearing and stocking of fish native to the affected water.

### **Efficiency Savings**

**Mr Cobain** asked the Minister of Culture, Arts and Leisure to outline the efficiency savings his Department has made since the restoration of devolution. (AQO 3000/09)

**The Minister of Culture, Arts and Leisure:** As part of Priorities and Budget 2005-2008, my Department agreed to realise total efficiencies of at least £15.7m by the end of this period. Actual savings achieved by March 2008 totalled £26.45m.

Of this, my Department estimates that £13.5m was achieved in the two years prior to devolution and £12.95m was achieved in the one year after devolution.

Furthermore, as part of Budget 2008-11, my Department has a target to deliver cash releasing efficiencies of £21m in the period 2008-11. The target of £3.6m for 2008-09, included in this, has already been achieved.

### **Board Members: DCAL**

**Mr McCartney** asked the Minister of Culture, Arts and Leisure if all board members associated with bodies under the control of his Department have received mandatory board training. (AQO 3001/09)

**The Minister of Culture, Arts and Leisure:** Training is a mandatory requirement for all Ministerial appointees to ALB Boards, and is included in letters of appointment and Terms and Conditions.

All Ministerial appointees to Arms Length Bodies associated with my Department and in post for a period of at least six months, have either undertaken training or are scheduled to complete training before the end of the calendar year.

Training is not a mandatory requirement for non Ministerial appointees to ALB Boards, however they are encouraged to undertake training where appropriate.

### **Bands Scheme: Musical Instruments**

**Mr Attwood** asked the Minister of Culture, Arts and Leisure how much money has been awarded under the Musical Instrument scheme to bands that are perceived to be (i) Unionist/Protestant; and (ii) Nationalist/Catholic. (AQO 3002/09)

**The Minister of Culture, Arts and Leisure:** The Arts Council of Northern Ireland has responsibility for arts funding.

The Arts Council does not hold information in a manner which would facilitate a breakdown of awards to bands by religious belief or political opinion. However, details of all of the Arts Council's grants can be viewed on its website.

### **Sport Matters Strategy**

**Mr Elliott** asked the Minister of Culture, Arts and Leisure to provide an update on the development of the 'Sports Matters' strategy. (AQO 3003/09)

**The Minister of Culture, Arts and Leisure:** The Department of Culture, Arts and Leisure (DCAL), in partnership with Sport Northern Ireland (SNI), has prepared a final version of a planned new Northern Ireland Sports Strategy now entitled "Sport Matters: The Northern Ireland Strategy for Sport and Physical Recreation, 2009-2019". The final version of this strategy has been forwarded to the Northern Ireland Executive for consideration at a future meeting.

### **Irish-Language Broadcast Fund**

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to give his assessment of the Irish-language broadcast fund to date. (AQO 3004/09)

**The Minister of Culture, Arts and Leisure:** An interim evaluation of the fund, carried out in 2007, found that the targets for the Irish-Language Broadcast Fund (ILBF) had been met.

A Post-Project Evaluation is planned to commence in October 2009 and I will be better able to assess the overall value of the ILBF when that work is complete.

### **Libraries**

**Miss McIlveen** asked the Minister of Culture, Arts and Leisure how the newly-formed Library Authority envisages the appearance of newly built library properties; and how these properties will integrate with and serve their local communities. (AQO 3005/09)

**The Minister of Culture, Arts and Leisure:** Libraries NI is currently undertaking a Strategic Review of the public library estate which will inform the ongoing modernisation programme and future vision.

Proposals for any new library development will be consistent with DCAL's published libraries policy 'Delivering Tomorrow's Libraries' which includes issues such as good design, sustainability and accessibility of services – providing a dynamic focal point in the community.



Accessibility will be a priority consideration for new library buildings which will be considered on a case by case basis with an emphasis, where possible, on maximising local opportunities through co-location and multi-functional, shared services.

Modern libraries should provide flexible multi-functional spaces which provide opportunities for people to engage in learning and cultural activities. Libraries NI will also consider the potential of partnerships and co-location where relevant.

The features I have outlined are important to the future success of the provision of local services and the extent to which it will be able to integrate with and serve the local community.

Examples of two excellent new public library developments are Bangor Library which provides a range of facilities and the Grove Wellbeing Centre which incorporates a library, health centre and leisure centre.

Facilities at any new library development will be subject to local need which must be adequately demonstrated in a formal Business Case which meets Green Book requirements.

### Navigation Authority

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure for an update on the details of the business case to assess the viability of establishing a Navigation Authority for Lough Neagh and the Blackwater and Upper Bann rivers. (AQO 3006/09)

**The Minister of Culture, Arts and Leisure:** In October 2008 DCAL commissioned a business case to examine the need for and options pertaining to the establishment of a Navigation Authority in relation to Lough Neagh, River Blackwater and Upper Bann River. My Department took receipt of the business case on 28 April 2009. It is recognised that a Navigation Authority could contribute to addressing public safety concerns in parallel with delivering the strategic sustainable development of water based activity within the Lough.

The options and constraints are currently being reviewed and DCAL is considering the recommendations detailed in the report.

### National Gallery

**Mr B McCrea** asked the Minister of Culture, Arts and Leisure if he has initiated a feasibility study into a National Gallery. (AQO 3007/09)

**The Minister of Culture, Arts and Leisure:** My Department is supportive, in principle, of a National Gallery as the absence of such is viewed by many as a significant gap in Northern Ireland's cultural infrastructure.

The Department has not commissioned a feasibility study at this stage however, initial work has commenced on the preparation of the Terms of Reference should funding become available for the study.

### Arts: Funding

**Mr Burns** asked the Minister of Culture, Arts and Leisure for his assessment of the arts being essential to the development of tourism and how his Department is ensuring that additional money is being acquired from both public and private sector sources for investment in the arts. (AQO 3008/09)

**The Minister of Culture, Arts and Leisure:** I believe that investment in the arts sector and in our arts infrastructure plays a key role in the development of Northern Ireland's tourism offering.

The VALCAL study of 2007, commissioned by my Department, concluded that the arts sector improves the attractiveness and image of NI and provides a key product which contributes towards tourism development.

The study also noted that major arts and cultural events, supported by the Northern Ireland Events Company in 2005, generated 25,000 bed nights per annum in Northern Ireland. This is a very significant impact, generating income for and sustaining many local businesses in the tourism sector.

In the last financial year Arts and Business, through its Reach investment fund, awarded £209,602 to arts and cultural organisations to strengthen and deepen their partnerships with NI businesses. This leveraged £960,930 of business sponsorship to the arts in NI – or £4.58 levered for every £1 of Reach investment.

## Sports Facilities: Proceeds of Crime

**Mr McNarry** asked the Minister of Culture, Arts and Leisure what further action he has taken to pursue having asset seizures from the proceeds of crime used for the development of sporting facilities, as is done in Scotland. (AQO 3009/09)

**The Minister of Culture, Arts and Leisure:** I would refer the member to the answer I gave previously on this matter (AQO 2757/09) in which I made it clear that issues pertinent to Assets Recovery and the redistribution of cash forfeiture receipts are a reserved matter and the responsibility of the Home Office in conjunction with the Secretary of State for Northern Ireland.

There are currently no formal mechanisms to allow NI Executive Departments to access such funding. I understand however that this may not prevent local groups, running projects that have a distinct benefit to offer in terms of crime prevention, from approaching any of the investigation agencies directly and making a case for funding.

I have written to the NI Security Minister, Paul Goggins, seeking a meeting on this issue and my officials have met with officials from Scotland and Wales to discuss the position in both their jurisdictions and their ability to pursue assets from the proceeds of crime.

## Minority Languages

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure, pursuant to AQO 2522/09, to outline if he learned anything about the usefulness of legislation in protecting and developing minority languages in Scotland and Wales that would be of benefit in language development in Northern Ireland. (AQO 3010/09)

**The Minister of Culture, Arts and Leisure:** I am not persuaded that language legislation is necessary in Northern Ireland in order to protect and develop our indigenous or minority languages.

It is my opinion that the protection and development of Ulster Scots and Irish can best be achieved through the introduction of a single strategy for indigenous or regional minority languages.

## DEPARTMENT OF EDUCATION

### Programme of Reform

**Mr Simpson** asked the Minister of Education, pursuant to her answer to AQW 4398/09, if she would list in order her top 10 priorities in her programme of reform for education. (AQW 5241/09)

**The Minister of Education (Ms Ruane):** Is é an rud atá i gceol-lár mo chláir um leasu san oideachas ná an diongbháilteacht lena chinntiú go mbeidh an deis ag gach páiste a c(h)umas féin a bhaint amach.

At the heart of my programme of reform in education lies a determination to ensure that every child has the opportunity to achieve to her or his full potential. While my main priority is to raise educational standards overall, the nature of education is such that many of the priorities are interdependent and as such cannot be listed in priority order. I have therefore identified the following high level education priorities which will determine the work of the education service in the coming years:

- Putting equality at the heart of the education system;
- Raising standards;
- Closing the gap in educational standards between the highest and lowest attainers;
- Equality of access to education, both formal and informal;
- Fit for purpose Estate;
- Fair and equitable post-primary admissions arrangements “Transfer 2010”;
- Special Educational Needs provision, tailored to help the most vulnerable children;
- Irish Medium and Integrated education.
- Safeguarding young people;

- Reforming education administration;
- North / South - building on good practice;
- Ensuring all young people leave school with basic skills in literacy, numeracy and ICT;

### Mobile Classrooms

**Mr Durkan** asked the Minister of Education for a list of schools using mobile classrooms, in each parliamentary constituency. (AQW 7031/09)

**The Minister of Education:** Tá socraithe agam go gcuirfear an t-eolas a iarradh i Leabharlann an Tionóil.

I have arranged for the information requested to be placed in the Assembly Library.

### Ex Gratia Payments

**Mr D Bradley** asked the Minister of Education (i) how many ex-gratia payments have been made to teachers by her Department; (ii) the amount of each payment; and (iii) the reason for each payment, in each of the last three years. (AQW 8121/09)

**The Minister of Education:** Ba é líon na n-íocaíochtaí ex gratia a thug an Roinn do mhúinteoirí i ngach bliain le trí bliana anuas (2006-07 go dtí 2008-09) ná 4, 0 agus 3 i ngach bliain faoi seach. Mionsonraítear thíos méid na n-íocaíochtaí agus na fáthanna ar tugadh iad:

The number of ex gratia payments made to teachers by the Department in each of the last three years (2006-07 to 2008-09) was 4, 0 and 3 in each year respectively. The amount of each payment and the reasons for the payments are detailed below:

#### 2006/07

Amount	Reason
£25.00	To recompense a teacher for damage to a degree certificate that was submitted to the Department.
£50.00	To recompense a teacher for a certificate that was lost.
£55.00	To recompense a teacher for bank charges incurred as a result of the teacher's salary being paid late.
£137.88	To recompense a teacher for bank charges incurred as a result of the teacher's lump sum being paid late.

#### 2007/08

No ex-gratia payments were made to teachers in 2007/08.

#### 2008/09

Amount	Reason
£271.32	To recompense a teacher for statutory sick pay that the teacher was unable to claim due to the late issue of the Statutory Sick Pay 1 form.
£30.00	To recompense a teacher for bank charges incurred as a result of the teacher's salary being late.
£63.00	To recompense a teacher for bank charges incurred as a result of the teacher's salary being paid late.

### Free Nursery Places

**Mr Gardiner** asked the Minister of Education, for the 2008/09 and 2009/10 academic years, how many children were refused free nursery places in their first preference school or unit in (i) Lurgan; (ii) Portadown; and (iii) Banbridge. (AQW 8168/09)

**The Minister of Education:** Tá curtha in iúl ag Bord Oideachais agus Leabharlainne an Deiscirt don Roinn líon na bpáistí a thaispeáin príomhrogha d'áit i náiscoil nó in aonad náiscoil sna ceantair a sonraíodh, agus nár éirigh leo an príomhrogha sin a fháil.

The Southern Education and Library Board have advised the Department of the numbers of children expressing a first preference for a place in a nursery school or nursery unit in the areas specified, and who were unsuccessful in having their first preference met. Some of these children were in their final preschool year, others were underage i.e. in their penultimate preschool year. These children may subsequently have been placed at nursery schools or nursery units other than their first preference. The information requested is set out in the tables below.

2008/09	Number of First Preference Applications	Number of First Preference Admissions	Number of Applicants refused admission at first preference
Lurgan	445	314	131
Portadown	345	252	93
Banbridge	201	130	71

2009/10	Number of First Preference Applications	Number of First Preference Admissions	Number of Applicants refused admission at first preference
Lurgan	534	320	214
Portadown	379	260	119
Banbridge	190	130	60

**Notes:**

- The question has been interpreted as those nursery schools and units located within each of these towns.
- The first preference statistics include underage children.

### Special Educational Needs and Inclusion: Review of

**Mr Durkan** asked the Minister of Education whether a date has been secured for discussion of the Review of Special Educational Needs and Inclusion by the Executive. (AQW 8204/09)

**The Minister of Education:** Cuireadh moltaí beartais faoi bhráid an Choiste Fheidhmiúcháin den chéad uair i mí Iúil anuraidh ag iarraidh teacht ar chomhaontú leis na moltaí a eisiúint le haghaidh comhairliúcháin phoiblí. Ó shin i leith, chuaigh mé chuig an Choiste Feidhmiúcháin ar thrí ócáid eile ag iarraidh teacht ar chomhaontú leis na moltaí beartais a eisiúint le haghaidh comhairliúcháin phoiblí.

The policy proposals were first referred to the Executive last July seeking agreement to issue them for public consultation. Since then I have gone back to the Executive on three further occasions seeking their agreement to the issue of the policy proposals for public consultation.

In November 2008 I issued a further Executive memo including amendments to reflect Ministers' comments. In February this year I forwarded a copy of the Equality Impact Assessment (EQIA) to help inform my Executive colleagues' understanding of the proposals. Then in early May I resubmitted the policy proposals to the Executive with some minor changes to the Preface and Foreword and I again recommended that the Executive agree to their issue for public consultation as soon as possible.

As you are aware the Assembly supported the motion to issue the proposals for public consultation following a debate on this subject on 19 May. Despite this and the other efforts made during the last year to move things forward, I regret that the consultation document has not yet been tabled for an Executive meeting.

I remain hopeful that my Executive colleagues will agree at the earliest opportunity to the issuing of the policy proposals for consultation to allow all interested parties involved the opportunity to contribute to the shaping of the final policy.



### Epilepsy: Pupils with

**Mr G Robinson** asked the Minister of Education what measures her Department takes to ensure that pupils with epilepsy receive all necessary support within the education system. (AQW 8237/09)

**The Minister of Education:** Tá creatlach riachtanas speisialta oideachais ag an Roinn Oideachais (DE) a leagann amach go soiléir na dualgais reachtúla a bhíonn ar scoileanna agus ar Bhoird Oideachais agus Leabharlainne (ELBanna) le páistí a bhfuil riachtanais speisialta oideachais (SEN) acu a aithint, a mheasúnú agus soláthar speisialta oideachais a dhéanamh le freastal ar a riachtanais i gcásanna nuair is cuí.

The Department of Education (DE) has in place a special educational needs framework setting out clear statutory duties on schools and Education and Library Boards (ELBs) to identify, assess and in appropriate cases make special educational provision to meet the needs of children with special educational needs (SEN). The framework applies to support for all children with SEN, including those diagnosed with epilepsy. In addition DE issued a Code of Practice on the Identification and Assessment of Special Educational needs in 1998 to provide detailed guidance to schools and ELBs 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.

As the diagnosis of children with epilepsy is the responsibility of the Department of Health and Social Services and Public Safety, Education and Library Boards (ELBs) rely on co-operation from health professionals in this area. In addition ELBs work directly with their local Health and Social Care Trust (HSCT) on an ongoing basis to ensure that the specific needs of children with epilepsy are met to maximise their educational potential. Many special schools have school nurses provided by their HSCT to support the medical needs of those children with more complex epilepsy and a recent improvement in services has seen most ELBs appoint Health Care Assistants, who are jointly funded by ELBs and HSCTs, to work with children with more complex medical needs, including those with epilepsy.

As advised in my response to your recent AQW 7908/09 the Chief Executives of the ELBs have advised that while there is no specific training offered to teachers dealing with epilepsy, schools can request training from the ELBs when a particular special need, including epilepsy, is identified for specific pupils. When a request for training is made the ELB would secure this from the most appropriate provider which in the case of epilepsy would most likely be the local HSCT. This ensures that the training delivered is appropriate to the needs of the individual child. The medical and education needs of children with epilepsy will vary greatly from child to child depending upon their individual circumstances, the severity and nature of the epilepsy and their assessed special educational needs.

Furthermore, following the issue of the Department of Education's document "Supporting Pupils with Medication Needs" in 2008, a training programme for school principals was offered to all schools to ensure that all pupils with medication needs, including epilepsy, could have their needs met in schools.

### Epilepsy: Pupils with

**Mr G Robinson** asked the Minister of Education what co-operation there is between her Department and the Health and Social Care Trusts to ensure that pupils with epilepsy maximise their educational potential. (AQW 8238/09)

**The Minister of Education:** Tá creatlach riachtanas speisialta oideachais ag an Roinn Oideachais (DE) a leagann amach go soiléir na dualgais reachtúla a bhíonn ar scoileanna agus ar Bhoird Oideachais agus Leabharlainne (ELBanna) le páistí a bhfuil riachtanais speisialta oideachais (SEN) acu a aithint, a mheasúnú agus soláthar speisialta oideachais a dhéanamh le freastal ar a riachtanais i gcásanna nuair is cuí.

The Department of Education (DE) has in place a special educational needs framework setting out clear statutory duties on schools and Education and Library Boards (ELBs) to identify, assess and in appropriate cases make special educational provision to meet the needs of children with special educational needs (SEN). The framework applies to support for all children with SEN, including those diagnosed with epilepsy. In addition DE issued a Code of Practice on the Identification and Assessment of Special Educational needs in 1998 to provide detailed guidance to schools and ELBs 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.

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Furthermore, following the issue of the Department of Education's document "Supporting Pupils with Medication Needs" in 2008, a training programme for school principals was offered to all schools to ensure that all pupils with medication needs, including epilepsy, could have their needs met in schools.

### Epilepsy: Pupils with

**Mr G Robinson** asked the Minister of Education how many pupils currently in primary and secondary mainstream education have been diagnosed with epilepsy. (AQW 8240/09)

**The Minister of Education:** Tá an t-eolas a iarradh sa tábla seo thíos.

The information requested is contained in the table below.

Primary and post-primary mainstream and special unit pupils who are recorded as having epilepsy – 2008/09

School level	Mainstream	Special unit	Total
Primary	153	20	173
Post primary	214	27	241
<b>Total</b>	<b>367</b>	<b>47</b>	<b>414</b>

**Source:** School Census.

**Note:**

1. Primary includes nursery, reception and year 1 – 7 classes.
2. Figures relate to pupils at Stage 1 – 5 of the Special Educational Need (SEN) Code of Practice. However, some pupils at SEN Stage 1 and 2 of the Code of Practice may have had their needs recorded at a more general level and therefore are not included here.

### Nursery Places

**Mr K Robinson** asked the Minister of Education for her assessment of the adequacy of nursery provision in East Antrim, given that 237 children in their final preschool year in the boroughs of Newtownabbey, Carrickfegus and Larne were not selected for their preferred nursery school or unit in 2009/10. (AQW 8246/09)

**The Minister of Education:** This question is pursuant to the member's AQW 7812/09 dated 2 June 2009.

The process for admission to preschool is a preference based application system and parents are advised to list, in order of preference, a number of centres on the application form as it is not always possible to meet parents' first choice preferences.

196 children not admitted to their first preference choice were subsequently offered a funded pre-school place. In addition, during the admissions process, a total of 45 additional funded places were allocated to

voluntary/private providers in the Newtownabbey, Carrickfergus and Larne areas. A number of these places were subsequently returned as they were not taken up.

Tá an Grúpa Comhairleach um Oideachas Réamhscoile de chuid NEELB fós ag déanamh athbhreithnithe ar líon na n-áiteanna cistithe a nglacfar leo san earnáil dheonach/phríobháideach don scoilbhliain 2009/10 agus tá athleithdháileadh na n-áiteanna idir sholáthróirí á shocrú go fóill.

The NEELB Pre-School Education Advisory Group is continuing to review the uptake of funded places in the voluntary/private sector for the 2009/10 school year and the reallocation of places between providers is still ongoing.

### Temporary Term Time Contracts

**Mr P J Bradley** asked the Minister of Education how many employees have been on a temporary term time only contract for two years or more, broken down by gender. (AQW 8258/09)

**The Minister of Education:** Níl aon bhall foirne sa Roinn Oideachais a bhí ar chonradh sealadach téarma scoile do dhá bhliain nó níos mó. Déantar iarratais ar Chonradh Oibre Téarma Scoile bliain ar bhliain.

No member of staff in the Department of Education has been on a temporary term time only contract for two years or more. Applications for Term Time Working are made year on year.

### Epilepsy: Pupils with

**Mr G Robinson** asked the Minister of Education how many classroom assistants are employed in the Western and Northern Education and Library Boards, specifically to help pupils with epilepsy. (AQW 8277/09)

**The Minister of Education:** Seo a leanas an t-eolas a thug Cathaoirligh Bhord Oideachais agus Leabharlainne an Oirthuaiscirt agus Bhord Oideachais agus Leabharlainne an Iarthair:-

The Chief Executives of the North – Eastern and Western Education and Library Boards have advised as follows:-

#### 1. North Eastern Education & Library Board

Statements of special educational need are maintained on 10 pupils who have been diagnosed with epilepsy as their main educational need. 5 of these pupils attend special schools where there are classroom assistants in each class. The other 5 attend mainstream schools and would have a level of individual 1:1 General Assistant support. General assistants are provided when the child does not have any learning difficulties.

There are a further 69 pupils who have epilepsy identified as an additional need. Of these 28 pupils are in mainstream/units and will again have access to individual support to meet all of their special educational needs although not exclusively their epilepsy. The remaining 41 pupils attend special schools where there is a classroom assistant in each classroom.

#### 2. Western Education and Library Board

Statements of special educational need are maintained on 18 pupils who have been diagnosed with epilepsy as their main educational need. Of these 18 children, 4 are in special schools where they will generally have 2 classroom assistants per class. The other 14 children are placed in mainstream schools with varying degrees of classroom assistant support depending on their assessed need.

There are a further 18 pupils who have epilepsy identified as an additional need. Of these 4 pupils are in mainstream/units and will again have varying degrees of classroom assistant support. The remaining 14 pupils attend special schools where there are generally 2 classroom assistants per class.

### Creggan Pre-school Training Trust

**Mr Durkan** asked the Minister of Education (i) what representations her Department has made in respect of Creggan Pre-School Training Trust to (a) the Office of First Minister and Deputy First Minister and (b) the Ministerial Sub-Committee on Children and Young People; and (ii) to detail when those representations were made. (AQW 8295/09)

**The Minister of Education:** Scríobh mé chuig na hAirí Sóisearacha ar 27 Aibreán 2009 ag moladh go dtabharfaí ceist faoi bhráid Fhochoiste na nAirí ar Pháistí agus ar Dhaoine Óga maidir le cistiú le haghaidh tacaíochta do thuismitheoirí a bhfuil páistí óga acu. Chuir na hAirí Sóisearacha freagra chugam ar 13 Bealtaine agus cuirfear an cheist seo ar an chlár oibre le haghaidh plé ag an chéad chruinniú eile.

I wrote to Junior Ministers on 27 April 2009 suggesting that the issue of funding for support to families with young children is brought to the Ministerial Sub-Committee on Children and Young People for discussion. Junior Ministers responded on 13 May and this issue will be put on the agenda for discussion at the next meeting.

### Portadown College

**Mr Gardiner** asked the Minister of Education for an update on the newbuild at Portadown College.

(AQW 8299/09)

**The Minister of Education:** Tá Bord Oideachais agus Leabharlainne an Deiscirt ag tabhairt faoi níos mó oibre ar an bhreithmheas eacnamaíochta do Portadown College faoi láthair, ar an rogha a ligfidh do scoil athsholáthair bheith ar an pháirc imeartha ar an chuid íochtair de shuíomh reatha na scoile go sonrach.

The Southern Education and Library Board is currently undertaking some further work on the economic appraisal for Portadown College specifically on the option to allow for a replacement school on the playing fields on the lower part of the existing school site.

### Sign Language Interpreting

**Mr Ford** asked the Minister of Education, pursuant to AQW 7358/09, if the Inclusion and Diversity Service within her Department provides sign language interpreting services for deaf parents to partake in occasions such as parent / teacher consultations.

(AQW 8307/09)

**The Minister of Education:** Mar a luadh in AQW 7358/09 tugann mo roinn cistiú don tSeirbhís réigiúnach Chuimsithe agus Éagsúlachta (IDS), a bhunaigh na cúig Bhord Oideachais agus Leabharlainne le tacaíocht a thabhairt do scoileanna a bhfuil daltaí núíosacha acu. Níl IDS mar chuid den Roinn Oideachais, agus níl freagracht ag an IDS as seirbhísí ateangaireachta teanga comharthaíochta do thuismitheoirí atá bodhar nó a bhfuil lagú éisteachta acu.

As stated in AQW 7358/09 my department funds the regional Inclusion and Diversity Service (IDS), which was established by the five Education and Library Boards to provide support to schools with newcomer pupils. IDS is not part of the Department of Education, nor does IDS have responsibility for sign language interpreting services for deaf and hard of hearing parents.

However, my Department has been considering a pilot project to establish the demand for support to parents (indigenous and newcomer) who are deaf and hard of hearing, specifically to improve parent/teacher communication. This project may include sign language interpreters, lip-readers and notetakers with IT equipment. I am aware that steps are being taken to train more sign language interpreters.

The pilot project is planned for 2010/11.

### Transfer Tests

**Mr Attwood** asked the Minister of Education to confirm if it will be her Department's policy to take action against the governors of a primary school if they decide to offer instruction to their primary six pupils, in respect of the transfer tests being set by some grammar schools; if so, to confirm the nature of the action her Department may take.

(AQW 8344/09)

**The Minister of Education:** Sonraítear i dtreoir mholta na Roinne ar Aistriú 2010 gur chóir do bhunscoileanna a thabhairt faoi deara nach féidir a éileamh orthu go n-ullmhófaí páistí do theisteanna iontrála agus sonraítear go soiléir sa treoir go molann an Roinn go láidir nach ndéantar é.

The Department's proposed transfer 2010 guidance states that primary schools should note that preparation of children for entrance tests cannot be required of them and makes clear that the Department strongly recommends against it.



Primary schools must abide by their statutory duty to deliver the revised curriculum, something which is monitored through the work of the Education and Training Inspectorate. Parents also have a right to question the decision of any primary school to deviate from the revised curriculum. If the Board of Governors of a primary school is found to have failed to discharge its statutory duty to deliver the curriculum, it can be required to do so, ultimately, if necessary, by a direction from the Department.

I have written to all primary schools reminding them of their statutory duties.

### St Paul's College, Kilrea

**Mr Dallat** asked the Minister of Education when she intends to answer letters sent to her on 5 and 26 May 2009 by the Principal of St Paul's College, Kilrea, requesting that a temporary variation would allow the college to enrol all of the pupils that have applied this year. (AQW 8346/09)

**The Minister of Education:** Thug mé freagairt cheana féin ar an dá litir ó Phríomhoide St Paul's College, Chill Ria.

I have already responded to both letters from the Principal of St Paul's College, Kilrea.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Apprenticeships

**Mr Shannon** asked the Minister for Employment and Learning for his assessment of the need to encourage trades; and if he will take steps to ensure that apprentices are kept on with their mentor after training has finished, in the economic downturn. (AQW 8130/09)

**The Minister for Employment and Learning (Sir Reg Empey):** My Department continues to promote apprenticeships and the benefits of the professional and technical career path for school leavers. We are also working tirelessly to develop training support packages to meet the growing needs of industry and employers and to encourage them to maintain and develop the core skills of the trades in new recruits and in the existing workforce.

You will also be aware that I recently announced the Skillsafe initiative to support manufacturing companies in this recession and of the contingency arrangements already established for redundant apprentices to help them continue training within priority trades such as construction, engineering and motor vehicle.

We are also working with Sector Skills Councils, Workforce Development Forums and employers to develop specific packages to upskill employees. These projects are considered as normal business and while the agreements will continue well beyond the eventual economic upturn, the packages being offered are more generous than might be offered under normal times. Because of this they will be particularly helpful and while not specifically for apprentices, they will encourage apprentices to be retained after qualification.

I trust this information is helpful.

### Sector Skills Councils

**Mr Newton** asked the Minister for Employment and Learning how many Sector Skills Councils have been assessed within the licensing review and have not met the required standard. (AQW 8140/09)

**The Minister for Employment and Learning:** Tranche 1 of the Sector Skills Council Reform and Relicensing process has now completed, and one out of the five Sector Skills Councils which were assessed, failed to meet the standard. The assessment process for the remaining Sector Skills Councils is currently underway and decisions will be made in due course.

### Sector Skills Councils

**Mr Newton** asked the Minister for Employment and Learning for his assessment of the Sector Skills Councils and their role within Northern Ireland. (AQW 8142/09)

**The Minister for Employment and Learning:** Sector Skills Councils are employer led organisations who have a critical role in influencing the Northern Ireland skills agenda. SSCs have a role to ensure that we have an economy in which the right people have the right skills at the right time. The Department is fully involved in the reform and relicensing process, and along with the other nations, provides the National Audit Office with feedback on Sector Skills Council performance, as part of the assessment exercise.

### Sector Skills Councils

**Mr Newton** asked the Minister for Employment and Learning if he will assist those Sector Skills Councils not currently meeting the standard in their bid, to become re-licensed. (AQW 8143/09)

**The Minister for Employment and Learning:** A due process is in place for the Reform and Relicensing process. The Department is working with the UK Commission for Employment and Skills, and the other Administrations, to ensure that the most appropriate course of action is implemented for those Sector Skills Councils who do not currently meet the relicensing standard.

### Bonuses Paid to Permanent Secretary

**Mr McGlone** asked the Minister for Employment and Learning how much was paid in bonuses to the Department's Permanent Secretary, in each of the last five years. (AQW 8182/09)

**The Minister for Employment and Learning:** Combined salary and bonus information for the Permanent Secretary of the Department for Employment and Learning is currently provided through Resource Accounts in £5k bands, available in the DEL Resource Accounts publications on the DEL website [delni.gov.uk](http://delni.gov.uk)

It is our policy not to disclose the remuneration details of individual civil servants, other than in broad terms.

### Bonuses Paid to Senior Civil Servant

**Mr McGlone** asked the Minister for Employment and Learning how much was paid in bonuses to senior Civil Servants in his Department in the year 2008/09. (AQW 8184/09)

**The Minister for Employment and Learning:** Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Department for Employment and Learning in respect of the performance year 2008/09 is not yet available. It is anticipated that this information will be available in the autumn.

### Postgraduate Students: Support for

**Mr McClarty** asked the Minister for Employment and Learning what consideration has been given to the introduction of loans to enable postgraduate students to pay their tuition fees and how much would an extension of the Student Loan Scheme cost. (AQW 8202/09)

**The Minister for Employment and Learning:** It is my Department's policy that public funding for student support for higher education should be targeted, in the main, towards students entering higher education for the first time. Support for postgraduate students, many of whom have already had the benefit of my Department's student support for their primary degree, has always been discretionary and subject to change to reflect wider government priorities.

For these reasons, my Department has not given consideration to the introduction of loans to enable postgraduate students to pay their tuition fees and has not, therefore, costed such proposals. The exception to this is students undertaking Post Graduate Certificate in Education (PGCE) courses, who are generally eligible to apply for a student loan for tuition fees.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Indigenous Renewable Fuel Sources

**Mr Shannon** asked the Minister of Enterprise, Trade and Investment what opportunities have been identified to increase the percentage of industrial heating systems using indigenous renewable fuel sources. (AQW 8212/09)

**The Minister of Enterprise, Trade and Investment (Mrs A Foster):** Invest NI, both directly and through its funding of the work of The Carbon Trust promotes sustainable energy practices which include the deployment of renewable energy technologies encompassing the use of indigenous renewable fuel sources for industrial heating applications.

Since its establishment in Northern Ireland in 2002 The Carbon Trust has:

- Carried out research into the role of bioenergy in reducing NI's carbon footprint.
- Published a report entitled "Prospects for bioenergy in Northern Ireland to 2050" as part of its 2005 vision study, highlighting the importance of public sector procurement in accelerating the development of a profitable, indigenous bioenergy sector in Northern Ireland.
- Conducted 40 technical studies within individual businesses and public sector organisations to determine the business case for installing biomass heating systems.
- Loaned nearly £3million to 26 local businesses to enable them to install biomass boilers and heating systems, reducing their annual energy costs by nearly £1 million and leveraging an additional £4 million of private sector capital into the biomass sector.
- Published a number of best practice case studies featuring local businesses that have installed biomass systems and highlighting the economic and environmental benefits achieved.
- Hosted a number of free-to-attend technical and policy seminars promoting bioenergy solutions which have been attended by over 1,000 delegates.
- Promoted the findings from The Carbon Trust's biomass heat technology accelerator project to NI stakeholders to encourage efficient policy frameworks that increase the uptake of biomass energy and to promote the optimal design and value engineering of biomass systems.
- Investigated the potential for district heating in a number of industrial estates in Northern Ireland which concluded that heat for these could be better supplied using heat recovery from companies located on the estates rather than by installing new heating equipment such as biomass boilers.

In 2008/09 advisers from Invest NI's Sustainable Development Team responded to approximately 200 requests from client companies for advice, information and support. Of these requests approximately 30% related to Industrial Heating systems with reference to Biomass and indigenous renewable sources.

In addition, in 2008/09 Invest NI's Sustainable Development Consultancy Framework provided consultancy support for eight projects involving industrial heating systems using indigenous renewable fuel sources.

Invest NI is a member of the DETI-led Bioenergy Inter-Departmental Group which aims to establish an integrated government approach to the sustainable development of bioenergy in Northern Ireland including the subject of the question.

The key objectives proposed by the Group are as follows:

- To raise awareness and understanding of the benefits and opportunities of all forms of bioenergy within the public and private sector and the wider community.
- To create a supportive and encouraging policy and regulatory framework within which the bioenergy sector can develop and thrive.
- To encourage and support targeted investment in key areas of the overall bioenergy supply chain to stimulate growth.
- To continue to undertake focused and relevant research into bioenergy and to further work to address gaps in knowledge and identify future research actions.

An Executive Summary of a report on the assessment of the potential for bioenergy development in Northern Ireland October 2008 has been published on the DETI Sustainable Energy website. <http://www.detini.gov.uk/cgi-bin/downutildoc?id=2314>

## Review of Public Administration

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment what discussions her Department has had with (i) the Department of the Environment; (ii) the Department for Social Development; (iii) local government; and (iv) advice provision organisations, in respect of advice provision, post the Review of Public Administration. (AQW 8217/09)

**The Minister of Enterprise, Trade and Investment:** My Department is a member of the Department for Social Developments Government Advice and Information Group (GAIG) which has representatives of government Departments, local government and other public bodies. The purpose of this group is to provide Departments, who fund advice provision, and other information giving organisations, with a forum to share information, to ensure best use of funding and to agree the principles to be applied to advice and information work at both regional and local level.

Whilst my Department has had no direct discussions with the Department of the Environment about future advice provision it has, through its participation in the GAIG, had extensive discussions with DSD officials, advice providing organisations and local government about the shape of services and advice delivery post the Review of Public Administration.

## Construction Sector

**Mr Savage** asked the Minister of Enterprise, Trade and Investment to detail the initiatives her Department is undertaking to protect local jobs in the construction sector. (AQW 8289/09)

**The Minister of Enterprise, Trade and Investment:** Invest NI has undertaken a number of initiatives in support of its clients in the Construction Products Sector. In September 2008, the agency introduced a series of Credit Crunch Seminars, aimed at helping local businesses deal with the economic downturn. Businesses had the opportunity to avail of one to one free and independent advice, on key business issues such as financial management, sales generation, business process and energy efficiencies.

In November 2008, a 2012 Olympics site visit was organised with the 27 participating companies given the opportunity to meet buyers from the tier one contractors involved in the building projects. As a follow up, a dedicated team has been put in place to help clients to promote their products and services and secure Olympic contracts.

Invest NI has developed a number of internationally focused initiatives with a programme of major exhibitions and trade missions currently being rolled out. These have included support for companies attending the Seatrade Cruise Shipping Convention in Miami March 2009, as well as trade missions and trade support to research opportunities in key export markets in the Middle East and Eastern Europe. A trade mission and exhibition visit to Saudi Arabia will also take place later this month. A Construction and Engineering Breakfast Seminar has been held to present information on the construction and engineering opportunities in India, with bespoke research and information presented to Invest NI clients in the sector by Invest NI's Indian based representatives.

Invest NI has delivered a highly successful "Construct for Growth" pilot programme to focus SMEs operating in the construction sector on the key drivers of modern methods of construction and sustainable products. A number of measures have been introduced to help prepare clients in the Construction Products sector for new regulations requiring all new homes to be zero carbon by 2016. In May the agency launched a series of five DVDs, including one on Low Carbon Technologies, which embrace integrated building technologies, to demonstrate Northern Ireland's capabilities in the renewables sector. Earlier this month, more than 40 companies attended an Invest NI seminar on "Future Opportunities for Sustainable Building Products" which highlighted the opportunities available in the design, construction, refit and maintenance of sustainable buildings and how Invest NI proposes to assist clients to take advantage of them.

Last month also saw the introduction of a new £15 million Short Term Aid Scheme to provide eligible businesses with financial assistance to enable the retention of key staff while businesses plan, and where necessary, restructure for the future.



### Debt Advice: Free Face-to-Face

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment (i) to provide an update on the roll-out of additional funding for free face-to-face debt advice announced on 3 July 2008; (ii) to detail the process for allocation of funding; and (iii) to outline the reasons for any delay in the distribution of any such monies.

(AQW 8354/09)

**The Minister of Enterprise, Trade and Investment:** Although the announcement of £800k additional funding for face to face debt advice was made in July 2008 the extra funding was allocated to the 2009/10 and 2010/11 financial years. This was subsequently supplemented by a significant contribution from the Ulster Bank of an extra £300k over the same 2 years. Preparations are well advanced for the roll-out of this additional £550k per annum funding which will be allocated by a public tender process, to be published later this month.

The funding will be additional to the existing spend of £800k per annum which funds the current free face to face debt advice service which Citizens Advice provides. The new funding will be used to complement the existing service and cover gaps in the existing provision.

A number of matters relating to the nature and the details of the tender documentation have recently been resolved with the Central Procurement Directorate. This has resulted in some slippage to the original tendering schedule but every effort will be made to ensure that all of the allocated funding is drawn down for the intended purpose.

### DEPARTMENT OF THE ENVIRONMENT

#### Burial Spaces

**Mr McClarty** asked the Minister of the Environment (i) how many burial spaces are available in each Council area; and (ii) whether it is permissible to give preference to local residents and, if so, in what Council areas is this happening.

(AQW 8165/09)

**The Minister of the Environment (Mr S Wilson):** The Department does not hold the requested information. The Department will request the information from the 26 local councils and will provide the member with a written response that will be placed in the Assembly Library.

#### Asda Supermarket

**Mr Shannon** asked the Minister of the Environment for his assessment of the initiative taken by the Asda supermarket chain not to provide bags free of charge but to charge for more durable, reusable bags; and if he has any plans to promote this initiative on a large scale.

(AQW 8178/09)

**The Minister of the Environment:** Asda is one of a number of leading UK supermarket chains signed up to the voluntary agreement to reduce, by 50%, the number of single use bags handed out to customers by the end of May 2009, working towards a reduction of 70% over the longer term. The interim results of the voluntary agreement will not be available until later in the summer but it is estimated that the agreement will result in a reduction of around 5 billion bags per year.

I warmly welcome the increasing efforts by many supermarkets, other stores and smaller shops to reduce the numbers of bags handed out to customers. Some shops have chosen to charge for single use bags to encourage shoppers to reuse bags and to promote “bags for life”. I understand that Asda’s initiatives include, for example, the removal of single use carrier bags from view at checkouts thereby giving more control to checkout operators to encourage customers to choose a “bag for life” at 5p a bag. Some shops award bonus loyalty card points to shoppers who reuse bags. Some shops are asking customers “Do you need a bag?”. Together all of these initiatives are working to reduce the number of single use carrier bags handed out to customers.

I have called on people in Northern Ireland to change their shopping habits to help to reduce the numbers of carrier bags. Simple things can be very effective and if more of us bring our own reusable carrier bags with us and refuse to take new carrier bags at the checkout we can expect to see greater reductions in carrier bag numbers in the future.

In April we also encouraged people in Northern Ireland, through local radio advertisements, to reuse their carrier bags whenever they can. These advertisements were part of the “get a bag habit” publicity campaign organised by DEFRA and the Waste & Resources Action Programme. Further information on reducing bag numbers is also available on Government websites and through the Waste & Resources Action Programme.

There are no easy answers to the carrier bags problem. However, I am satisfied that, as a result of a range of initiatives, we are making good progress and that many shoppers and retailers are now playing their part to reduce the numbers of carrier bags.

### Bonuses Paid to Civil Servants

**Mr McGlone** asked the Minister of the Environment how much was paid in bonuses to senior Civil Servants in his Department in the year 2008/09. (AQW 8227/09)

**The Minister of the Environment:** Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Department of Environment in respect of performance year 2008/2009 is not yet available. It is anticipated that this information will be available in the autumn.

### Chief Executives and Directors' Expenses

**Mrs D Kelly** asked the Minister of the Environment to consider if the details of expenses of Chief Executives and Directors of local authorities and other public bodies for which his Department is responsible, should be published, in line with many councils and public bodies in England, Scotland and Wales, in the interests of transparent and accountable government (AQW 8228/09)

**The Minister of the Environment:** I have asked Policy Development Panel A, reporting to the Strategic Leadership Board working on the local government reform agenda, to consider this issue and report to the August meeting of the Strategic Leadership Board.

### Audit Committee

**Mrs D Kelly** asked the Minister of the Environment to detail the role and responsibility of a member of the audit committee for local authorities and for other public bodies, including any extra responsibility that person may have. (AQW 8229/09)

**The Minister of the Environment:** Local authorities and other public bodies must ensure that their financial management is adequate and that sound internal control facilitates the effective exercise of their functions and includes arrangements for the management of risk.

Audit committees are widely recognised across the public sector as a core component of effective governance. Central government departments, their Non-Departmental Public Bodies and sponsored bodies comply with the Audit Committee Handbook published by HM Treasury, with some flexibility to reflect Northern Ireland circumstances. Local authorities, whilst not bound by statute, are encouraged to have regard to the Chartered Institute of Public Finance and Accountancy's Audit Committees – Practical Guidance.

Audit committee members' main responsibilities include:-

- i. to confirm for the public body that the right processes are in place, and that financial stewardship and overall governance arrangements such as internal control, risk management, anti-fraud arrangements and financial reporting issues can be relied upon;
- ii. to provide independent assurance that adequate controls are in place to mitigate key risks and to provide assurance that the organisation is operating effectively; and
- iii. to ensure that internal audit systems are operating effectively and issues raised by both internal and external auditors are satisfactorily addressed.

In addition, members of a local authority audit committee may be designated responsibility (under Regulation 5 of the Local Government (Accounts and Audit) Regulations (Northern Ireland) 2006) for approving, by a resolution, the annual statement of accounts of the local authority.

## NI Environment Agency

**Mr Gardiner** asked the Minister of the Environment how many staff who were formerly in his Department are now classed as employees of the NI Environment Agency and what is their status in relation to the Civil Service. (AQW 8231/09)

**The Minister of the Environment:** The NI Environment Agency (NIEA) is an agency of the Department of the Environment and all its staff have remained within the Northern Ireland Civil Service (NICS).

## 2008-2011 Business Plan

**Mr Gardiner** asked the Minister of the Environment to detail the main targets set for his Department in the 2008-2011 business plan and whether any interim review of progress has taken place in respect of meeting those targets. (AQW 8232/09)

**The Minister of the Environment:** The main targets in my Department's 2008-11 Corporate Plan are detailed at Annex 1 and reflect those PSA Targets for which my Department has responsibility within the Programme for Government. The three year targets contained in the Corporate Plan are being pursued via one year business plans which set out actions for achievement in each of the three years covered. Progress in respect of these actions was subject to quarterly review by the Departmental Board during 2008/09.

### Annex 1

#### Corporate Plan 2008-11: Main Targets

The targets contained in the 2008-11 Corporate Plan are organised under five strategic objectives as follows:

1. **To protect and promote the natural environment and built heritage.**
  - Reduce greenhouse gas emissions by 25% below 1990 levels by 2025 and improve energy efficiency in homes.
  - Through the Sustainable Development Implementation Plan 2008-11, progress delivery, where appropriate, of the Key Targets associated with Strategic Climate Change and Energy objectives.
  - By 2015 achieve the environmental objectives set for all water bodies under the Water Framework Directive.
  - Achieve the health based objectives for 7 key air pollutants in the Air Quality Strategy by the relevant dates.
  - Compliance with EU Landfill Directive target to reduce the amount of biodegradable municipal waste sent to landfill to 75% of 1995 levels by 2010.
  - Save at least 45 buildings or scheduled monuments on the Built Heritage At Risk Northern Ireland (BHARNI) register by March 2011, contributing to the target of saving 200 structures by 2016.
  - To reduce significantly the loss in biodiversity by 2010, and to halt the loss of biodiversity by 2016.
2. **To plan and manage development in a sustainable way which is responsive to the needs of the community.**
  - Ensure a fit for purpose suite of draft or adopted development plans is in place by March 2011.
  - A fit for purpose suite of Planning Policy Statements to be in place by March 2011.
  - A fit for purpose legislative framework for reform of the planning system to be in place by March 2011.
  - By March 2011, ensure: 60% of major applications processed in 23 weeks; 70% of intermediate applications processed in 31 weeks; and 80% of minor applications processed in 18 weeks.
3. **To reduce road deaths and serious injuries.**
  - By 2012 reduce the number of people killed or seriously injured on our roads by 33% of the average for the period 1996-2000.
  - By 2012 reduce the number of children killed or seriously injured on our roads by 50% of the average for the period 1996-2000.

4. **To support the delivery of a system of strong and effective local government.**
  - Reduction in the numbers of local councils, and transfer of agreed functions from central government to local government control.
  - Modernisation of existing processes of councils.
  - Assumption of new powers for local government.
5. **To support the Minister, Permanent Secretary and senior management, and oversee the securing and allocation of resources to enable the Department to achieve its business aims and meet its legal and equity obligations.**
  - Production of annual procurement plan.
  - A minimum of 95% value of procurement to be subject to CoPE influence by 31 March 2008. If this target is not met must seek to reduce non-CoPE procurement by 25% year on year (2008-11).
  - Deliver Shared NICS Corporate Services through the implementation and realisation of the benefits of the following reform programmes:
    - Financial and accounting services through Account NI by 1 April 2009;
    - Human resource services through HR Connect by November 2008;
    - ICT services through the ICT Shared Services Centre by April 2009;
    - Network service through Network NI by 30 September 2009; and
    - Office estate services through Workplace 2010 by 30 November 2008.

### Enforcement Officers

**Mr Gardiner** asked the Minister of the Environment how many enforcement officers work in the different divisions of his Department. (AQW 8233/09)

**The Minister of the Environment:** There are currently 83 dedicated enforcement officers working within my Department's three executive agencies, as well as a further 100 staff members who are involved in enforcement work alongside other duties. A breakdown of these figures by agency is set out below.

#### Northern Ireland Environment Agency

There are currently 27 dedicated enforcement officers working in the Agency's Environmental Crime Unit. A further 79 staff working in the Water Management Unit and Industrial Pollution and Radiochemical Inspectorate also have an element of enforcement work within their job descriptions.

In addition, the Agency's Natural Heritage Directorate does not employ enforcement officers as such but has an ASSI compliance team which comprises 4 administrative staff and 3 scientific staff, 2 of which are employed as investigative officers.

#### Planning Service

There are currently 41 enforcement officers working within Planning Service's six divisional offices. There are also six senior officers at PPTO (Principal Planner) grade who are involved with enforcement work alongside their other duties.

#### Driver and Vehicle Agency

Within the Driver & Vehicle Agency, there are currently 15 officers dedicated to full time enforcement activities, with ad-hoc support provided by a further 8 officers (authorised to undertake enforcement duties) who predominantly work full time on other enforcement related activities.

### Ballygowan Road: Pollution Incident

**Mr Shannon** asked the Minister of the Environment to outline the reasons for the pollution incident on the Ballygowan Road on 25 July 2006 not resulting in action being taken against the perpetrators. (AQW 8274/09)

**The Minister of the Environment:** Following the report of dead fish in the Ballygowan River on that date, the then Environment and Heritage Service took immediate action. Staff from the then Fisheries Conservancy



Board, acting on behalf of the Agency, investigated and confirmed that the source of the pollution was a blockage in pumps at a sewage pumping station belonging to the then Water Service.

Appropriate action was taken to resolve the issue quickly. However, as Water Service enjoyed Crown Immunity, it could not be prosecuted for causing this incident.

### Birds on the Red List

**Mr Shannon** asked the Minister of the Environment to outline the discussions he has had with organisations about the 21% of birds on the Red List in the UK. (AQW 8275/09)

**The Minister of the Environment:** Discussions with various organisations about the birds on the red list are undertaken on my behalf by the Northern Ireland Environment Agency (NIEA).

The red list referred to is derived from the UK Birds of Conservation Concern. This provides information on the conservation status of regularly occurring birds in the UK. The most recent listing was published in May 2009.

A total of 246 species were included in this review. Their conservation status was assessed against a set of criteria to place each on one of three lists; green, amber and red in increasing level of conservation concern.

There are 52 species on the red list which represents the 21% referred to in the question. Only 22 of these species occur regularly in Northern Ireland.

NIEA is also involved in a similar all-island exercise (known as Birds of Conservation Concern Ireland) which is led by Birdwatch Ireland and the Northern Ireland office of the Royal Society for the Protection of Birds.

Both the UK and Ireland lists are being used by NIEA to update their list of priority species. This list will then inform the development of conservation actions to assist these species.

### High Hedges

**Mr Weir** asked the Minister of the Environment what plans his Department has to introduce legislation to deal with the problem of high hedges. (AQW 8284/09)

**The Minister of the Environment:** Any scheme provided for in new legislation to deal with the nuisance high hedges problem in Northern Ireland will be operated by local government and I would not underestimate the amount of additional work such a scheme would have on district councils, particularly during the early stages of the scheme's operation when the existing problems affecting many householders would need to be dealt with. It is with this in mind, together with the competing priorities and resource constraints I am facing, that I have decided not to progress the development of policy and legislation on this matter until after the eleven new councils have been elected in May 2011. This also allows me to focus Departmental staff resources on higher priority environmental issues over the coming years.

### High Hedges

**Mr Weir** asked the Minister of the Environment what consideration his Department has given to the legislation that is in place in England and Wales on the problem of high hedges. (AQW 8286/09)

**The Minister of the Environment:** When my Department consulted in 2005 to gather information about the scale and geographical spread of nuisance high hedges in Northern Ireland it drew attention to the position elsewhere including the legislation in England and Wales. The relevant legislation in force in England and Wales, namely Part 8 of the Anti-social Behaviour Act 2003 and associated subordinate legislation, will be taken into account whenever policy development work in respect of a nuisance high hedges scheme for Northern Ireland is commenced. An initial policy consultation exercise would help to establish whether or not a scheme modeled on the England/Wales scheme would be the best way forward for Northern Ireland.

### High Hedges

**Mr Weir** asked the Minister of the Environment what action his Department intends to take on the issue of high hedges. (AQW 8287/09)

**The Minister of the Environment:** Once a decision is taken to progress work on nuisance high hedges policy and legislation my Department will produce a policy consultation document on the proposed details of the system of high hedge control to be enshrined in legislation and a regulatory impact assessment. The consultation will inform the subsequent drafting of the legislation which will, in due course, be laid before the Assembly.

### Clean Neighbourhood Agenda

**Mr Weir** asked the Minister of the Environment what action his Department intends to take on the Clean Neighbourhood Agenda. (AQW 8288/09)

**The Minister of the Environment:** In view of resource constraints and competing priorities facing my Department and the impact on Councils of the Review of Public Administration further consideration of the Northern Ireland Clean Neighbourhoods agenda and associated new primary legislation corresponding to the Clean Neighbourhoods and Environment Act has been deferred until 2011. This will allow my officials to concentrate on higher priority environmental issues over the coming years.

### Clean Neighbourhood Agenda

**Mr Weir** asked the Minister of the Environment for his assessment of the role of the District Councils in the Clean Neighbourhood Agenda. (AQW 8290/09)

**The Minister of the Environment:** The main purpose of the Clean Neighbourhoods Agenda is to strengthen the powers available to District Councils to enable them to deal more effectively with a wide range of local environmental problems. Clearly therefore the role of District Councils in the context of the Clean Neighbourhoods Agenda is very important. Once a decision is taken to progress work on the Clean Neighbourhoods Agenda it will be necessary to carry out an initial policy consultation with key interested parties including, in particular, District Councils, seeking views to assist my Department in the development of proposals to deal with local environmental quality issues more effectively.

### Environment Agency Employees

**Mr Gardiner** asked the Minister of the Environment the status of employees of the Northern Ireland Environment Agency and what remuneration and pension arrangements apply to them. (AQW 8300/09)

**The Minister of the Environment:** The Environment and Heritage Service was reorganised into the Northern Ireland Environment Agency (NIEA) on 1 July 2008. The NIEA continues to be part of the Department of the Environment and on reorganisation all of its staff remained within the Northern Ireland Civil Service (NICS). NIEA staff are therefore subject to remuneration and pension arrangements in line with normal NICS provision.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Rental Arrangements

**Mr Dallat** asked the Minister of Finance and Personnel to detail on what figures the Commissioner of Valuations based his advice to the Interim Assembly Standards Commissioner concerning the rental arrangements for 9-11 Church Street, Ballymena. (AQW 7532/09)

**The Minister of Finance and Personnel (Mr Dodds):** The Commissioner of Valuation was asked by the Interim Commissioner for Standards to provide a view on the level of rent which might reasonably be expected to be paid for 9-11 Church Street, Ballymena.

The Commissioner of Valuation relied on established rental levels in Ballymena and in particular on asking rents in the immediate vicinity.

### Leisure Centres: Lurgan and Craigavon

**Mrs D Kelly** asked the Minister of Finance and Personnel to outline his Department's position in relation to the grant of £161,000 which was awarded to Craigavon Borough Council for the installation of boilers at Lurgan and Craigavon Leisure Centres and which was not progressed. (AQW 7974/09)

**The Minister of Finance and Personnel:** It is regrettable that Craigavon Borough Council was unable to proceed as planned with the projects to install biomass boilers at Lurgan and Craigavon leisure centres. Both projects were considered by the Department of Finance and Personnel to be worthwhile investments that could have delivered estimated savings of £48,000 and 528 tonnes of carbon dioxide emissions annually.

### Leisure Centres: Lurgan and Craigavon

**Mrs D Kelly** asked the Minister of Finance and Personnel whether his Department is aware of why the grant of £161,000, which was awarded to Craigavon Borough Council to fund the installation of boilers at Lurgan and Craigavon Leisure Centres, was not progressed; and if the grant monies were offered to another council and, if not, was the money returned to the central budget. (AQW 7975/09)

**The Minister of Finance and Personnel:** In February 2008, the Department was advised by Craigavon Borough Council that it would not be claiming the £161,000 grant awarded to it in April 2007 from the Central Energy Efficiency Fund. Due to legal issues that arose during the tendering process the Council was unable to make an award of contract. As this advice was received late in the financial year, the Department was unable to transfer the grant to another energy efficiency project and the money was surrendered to the central budget at the February 2008 monitoring round.

### Suicides: East Belfast

**Ms Purvis** asked the Minister of Finance and Personnel how many suicides were registered in the east Belfast and Castlereagh area in (i) 2006; (ii) 2007; and (iii) 2008. (AQW 8250/09)

**The Minister of Finance and Personnel:** The table attached gives the number of deaths registered due to 'suicide and self-inflicted injury'<sup>1</sup> and 'undetermined injury whether accidentally or purposefully inflicted'<sup>2</sup> where the deceased was resident in either East Belfast Parliamentary Constituency or the remainder of Castlereagh Local Government District for each year between 2006 and 2008P.

1 International Classification of Diseases, Tenth Revision codes X60-X84, Y87.0 for years 2006-2008.

2 International Classification of Diseases, Tenth Revision codes Y10-Y34, Y87.2 for years 2006-2008.

P 2008 data is provisional

**TABLE 1: NUMBER OF REGISTERED DEATHS DUE TO 'SUICIDE AND SELF-INFLICTED INJURY' AND 'UNDETERMINED INJURY WHETHER ACCIDENTALLY OR PURPOSEFULLY INFLICTED' IN EITHER EAST BELFAST PARLIAMENTARY CONSTITUENCY OR THE REMAINDER OF CASTLEREAGH LOCAL GOVERNMENT DISTRICT, 2006 - 2008P.**

Registration Year	Number of Suicide Deaths
2006	11
2007	17
2008P	12

### Equal Pay Claim: Civil Service

**Mr Gardiner** asked the Minister of Finance and Personnel when he expects all tasks in relation to the Civil Service equal pay claim to be completed and when he proposes to make the awards. (AQW 8305/09)

**The Minister of Finance and Personnel:** The issues relating to equal pay in the NICS are both significant and complex and, therefore, it is important that they are properly addressed. It is likely that it may yet take some time before they will be finally resolved.

Discussions between officials in the Department of Finance and Personnel and NIPSA are ongoing in an effort to establish as clearly as possible the parameters within which a negotiated settlement might be reached so that I, in conjunction with my Ministerial colleagues in the Executive, can consider how the matter should be taken forward.

However, if there are unlawful inequalities in pay in the NICS, I am determined that these should be put right.

### Malnutrition: Death due to

**Mr Burns** asked the Minister of Finance and Personnel, pursuant to AQW 7963/09, to detail the age of these individuals. (AQW 8319/09)

**The Minister of Finance and Personnel:** The attached table gives the number of deaths due to malnutrition<sup>1</sup> registered where the place of death was recorded as being in a hospital by the age of the deceased, 2004 to 2008P. The average age at death of the patients noted was 73 years with a significant number having also had a stroke, dementia or other severe illnesses. Deaths related to anorexia nervosa or other eating disorders are recorded separately and not shown in these figures.

<sup>1</sup> Deaths are defined as being due to malnutrition using International Classification of Diseases, Tenth Revision codes E40 to E46.

P 2008 data is provisional

**TABLE: THE NUMBER OF DEATHS DUE TO MALNUTRITION REGISTERED IN NORTHERN IRELAND WHERE THE PLACE OF DEATH WAS RECORDED AS BEING IN A HOSPITAL BY THE AGE OF THE DECEASED, 2004 TO 2008P**

Age	Number of Deaths due to Malnutrition
Under 45	-
45-54	2
55-64	1
65-74	4
75+	7
All Ages	14

### Construction Sector

**Mr Savage** asked the Minister of Finance and Personnel to detail the initiatives her Department is undertaking to protect local jobs in the construction sector. (AQW 8321/09)

**The Minister of Finance and Personnel:** Government recognizes the important contribution that local construction firms make to the NI economy and has provided significant levels of support to the local construction sector in terms of its capital investment programme. The latest figures suggest that in excess of £1.6 billion in gross capital investment was delivered in 2008-09.

This support is planned to continue in 2009-10 with the net capital investment plans, set out in the Budget 2008-11 document, almost 6% greater than the equivalent figures for 2008-09.

Public procurement is however, subject to the EU Treaty, which requires freedom of movement, transparency and non-discrimination on the basis of nationality. Government cannot restrict its purchases of construction works and services to favour local firms.

However, in December 2008, I established the Construction Industry Forum – Procurement Task Group to agree the principles to be applied to future construction procurement. The Group's Report was finalized on 30 April 2009 and was tabled at the Procurement Board on 7 May 2009. As Chair of the Procurement Board, I have instructed the Central Procurement Directorate to work with all Government Construction Clients to implement



the seven key principles agreed by the Task Group – one of which is to provide recurrent tender opportunities for enterprises of all sizes.

In addition to these principles, the report includes 25 actions with dates for implementation. Work has already commenced on a number of these with a view to completing them by 31 December 2009.

Centres of Procurement Expertise (CoPEs) are already required to advertise all construction procurement opportunities in excess of designated thresholds (£5k for construction professional services and £30k for construction works) on their websites or in the local Press. Where the value of a contract is in excess of the EU thresholds (£90k for construction professional services and £3.5m for construction works), it must also be published in the Official Journal of the European Union (OJEU).

The Procurement Board approved the use of the eSourcing NI web portal as a single sourcing tool for all CoPEs. eSourcingNI offers all registered construction firms “24/7” access to view all procurement opportunities and facilitates the submission of electronic tenders. In my Department, the Central Procurement Directorate has been using eSourcing NI since May of last year. All CoPEs will be using the system by early 2010.

In addition, the ISNI information website has been developed to provide the public, and in particular the construction industry, with specific project information drawn from the Delivery Tracking System. The website is now operational and was demonstrated to representatives of the construction industry at the Construction Employers Federation (CEF) Conference held on 11 June 2009. The website provides details of ISNI projects including their type, location, value and delivery timescales.

Government recognises that not all organisations will contract directly with the public sector and has introduced a requirement into all new public sector construction contracts, since December 2008, for main contractors to publish opportunities within their supply chains on their websites and/or in the local Press.

The initiatives outlined above, demonstrate the commitment of my Department to ensure that local construction firms have a higher degree of visibility of business opportunities and that they will be able to fully engage in the take up of these opportunities through modern, efficient and cost effective construction procurement processes.

### Malnutrition: Death due to

**Mr Burns** asked the Minister of Finance and Personnel, pursuant to his answer to AQW 7963/09, to detail the total number of deaths due to malnutrition recorded in each of the last five years. (AQW 8370/09)

**The Minister of Finance and Personnel:** The attached table gives the number of deaths due to malnutrition<sup>1</sup> registered in Northern Ireland, 2004 to 2008P.

<sup>1</sup> Deaths are defined as being due to malnutrition using International Classification of Diseases, Tenth Revision codes E40 to E46.

P 2008 data is provisional

**TABLE: THE NUMBER OF DEATHS DUE TO MALNUTRITION REGISTERED IN NORTHERN IRELAND, 2004 TO 2008P**

Registration Year	Number of Deaths due to Malnutrition
2004	6
2005	2
2006	2
2007	6
2008P	2

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**DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY****Private Dentists: Emergency Treatment**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what procedures are in place for people who are living on benefit to reclaim costs incurred by having to use a private dentist for emergency treatment. (AQW 7064/09)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** Unfortunately my Department's scheme to assist people on low incomes does not cover the cost of private treatment.

**Southern Health and Social Care Trust: Emergency Referrals**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what provision exists in the Southern Health and Social Care Trust area for emergency referrals outside normal working hours in relation to children, the elderly and vulnerable adults; and where this is based, broken down by area within the Southern Health and Social Care Trust. (AQW 7100/09)

**The Minister of Health, Social Services and Public Safety:** The Southern Trust has an emergency Out of Hours Service which covers all programmes of care. This has been operational from 1st October 1973.

The Out of Hours Service is accessed by the public via the hospital switchboards in Craigavon Area Hospital, Daisy Hill Hospital and St. Luke's Hospital.

From 1 April 2009, the Child & Adolescent Mental Health Service (CAMHS) has extended its services so that during weekends and Public Holidays a CAMHS Practitioner will be available to receive referrals and complete an appropriate assessment.

Within the Adult Mental Health Service the Home Treatment Team provides an extended service which operates up to 9.00pm, seven days a week. In addition, they provide a "crisis response service" within limited periods during weekdays and weekends.

**Alzheimer's Research**

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how much money is being spent on Alzheimer's research. (AQW 7151/09)

**The Minister of Health, Social Services and Public Safety:** My Department, through the HSC Research & Development Office of the Public Health Agency, has made a significant contribution to the study of the aetiology and treatment of Alzheimers Disease over the past several years through the establishment of a Recognised Research Group in Neurosciences and Mental Health. To date funding for a portfolio of studies by this group has reached approximately £2m.

HSC R&D also funds HSC infrastructure to support clinical research. This includes the Northern Ireland Clinical Research Network (NICRN) that helps to ensure that the outcomes of research are translated into benefits for patients and clients as soon as possible. Dementia is one of nine areas of focus of NICRN and support of £375,000 has been provided. Northern Ireland has an impressive track record in providing access for patients with Alzheimers Disease to novel drug treatments through clinical trials. The NICRN will continue to build on this expertise.

In addition, my Department has co-funded (£150,000) the establishment of a Centre for Ageing and Research and Development in Ireland (CARDI), which is a not-for-profit organisation developed by leaders from the ageing field across Ireland to advocate for and to advance the ageing research agenda both North and South.

Building upon the expertise and infrastructure in the Recognised Research Group and NICRN, local research into Alzheimers Disease is also significantly supported by external partners including local and national charities, international funding bodies and drug companies. For example the Alzheimers Research Trust (ART), a national organisation, has contributed £95,000 for the establishment of a NI Centre, within a national research network, led jointly by Queens University Belfast and the University of Ulster. ART provides funding for the local Centre, research equipment, student fellowships and scientific conferences.

My Department recognises the burden of illness caused by Alzheimers Disease within the population of Northern Ireland and the cost of caring associated with this condition. It is committed to funding research in this area and to ensuring the most effective translation of research findings into strategies for prevention, diagnosis and treatment.

### Patients Referred Outside Northern Ireland

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety, in relation to seeking surgery or medical procedures outside Northern Ireland in the last financial year (i) how many people were referred; (ii) what was the total cost; and (iii) what action is being taken to reduce the number of referrals. (AQW 7158/09)

**The Minister of Health, Social Services and Public Safety:** In relation to parts (i) and (ii) of the question I can advise that information on the number of patients referred outside Northern Ireland and the cost of their procedures is not held centrally and could only be collected at disproportionate cost.

Patients may receive treatment outside NI for a number of reasons; where a specialist service is not available here, as part of waiting list initiatives or for illness or injury while outside NI on business, holiday or studying.

My Department is continually reviewing how best to make services accessible locally where that is possible, recognising the additional anxiety and difficulty caused to patients and families who have to travel outside NI for treatment. However, in some specialist areas the numbers requiring treatment are insufficient to make a service here sustainable.

It will continue to be necessary to refer patients to the independent sector for treatment, both within and outside NI, while waiting times are further reduced and backlogs exist. Significant efficiency improvements and investment have been made to improve capacity in local services over the past few years and that will continue. It is expected that, once waiting times stabilise, Trusts will seek independent sector capacity only in exceptional circumstances.

### St John's Ambulance Service

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety in relation to the Health Service's use of St John's Ambulance Service (i) how many calls/jobs there were; (ii) what percentage this was of the total calls/jobs; and (ii) how many were deemed to have been emergency calls, in each of the last 5 years, (AQW 7191/09)

**The Minister of Health, Social Services and Public Safety:** The table below sets out the information requested. The Northern Ireland Ambulance Service (NIAS) did not collect this data prior to 2006/07.

Year	Total tasks assigned to St John Ambulance	% of total ambulance calls	No emergency calls attended by St John Ambulance
2006-07	166	0.05%	40
2007-08	149	0.04%	22
2008-09	62	0.02%	18

St John's Ambulance (SJA) may provide routine patient transport. SJA also assists NIAS by attending a very small number of the less serious non-life threatening incidents on a pre-planned basis during known periods of high demand. SJA does not respond to the more serious Category A (life-threatening) calls.

### Consultants Costs

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) hotel accommodation; and (ii) flights for consultants flown in to reduce outpatient waiting lists by the South Eastern Health and Social Care Trust, in each of the last three financial years. (AQW 7202/09)

**The Minister of Health, Social Services and Public Safety:** Contracts for the procurement of assessment and/or treatment services from the independent sector are negotiated through a competitive tendering process

aimed at ensuring best value for money. Contracts are agreed on a price per case basis. The agreed price includes all of the costs associated with the contract, including any staff travel or accommodation costs where appropriate. Separate information on accommodation or travel costs is not available.

### Health and Social Care Trusts: Education and Training

**Mr Easton** asked the Minister of Health, Social Services and Public Safety what proportion of the five Health and Social Care Trusts' budgets are earmarked for education and training. (AQW 7236/09)

**The Minister of Health, Social Services and Public Safety:** On average the combined proportion of the five Health and Social Care Trust budgets earmarked for education and training during the 2008/09 financial year was just under 2%. By Trust this varied from 2.6% where the large teaching hospitals are situated at Belfast Trust to 0.4% at the Northern Trust.

### Southern Health and Social Care Trust

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how much the Southern Health and Social Care Trust has spent on recruitment, in each of the last three years. (AQW 7283/09)

**The Minister of Health, Social Services and Public Safety:** Information is available for the last two years that the Trust has been established. The Southern Trust has spent £198,126 in the financial year 2007/08 and £137,893 in the financial year 2008/09 on costs directly associated with advertising vacancies.

### Agency Nurses

**Miss McIlveen** asked the Minister of Health, Social Services and Public Safety how much has been spent on the employment of agency nurses, in each Health and Social Care Trust, in each of the last five years. (AQW 7291/09)

**The Minister of Health, Social Services and Public Safety:** Information on the cost of Agency staff is published on a bi-annual basis on the departmental website at [www.dhsspsni.gov.uk/index/hrd/wpu/wpu-monitoring.htm](http://www.dhsspsni.gov.uk/index/hrd/wpu/wpu-monitoring.htm)

### Health Service Dentists

**Mr Ross** asked the Minister of Health, Social Services and Public Safety how many people were taken on as patients by Health Service dentists in (i) Carrick; (ii) Newtownabbey; and (iii) Larne, broken down by (a) dentist; and (b) year, for each of the past three years. (AQW 7388/09)

**The Minister of Health, Social Services and Public Safety:** The requested information is shown in the tables below.

A new Health Service patient is defined as a patient who is registered with a Health Service dentist employed in a given surgery at March of a given year, but the patient was not registered there at April of the previous year. Practices have been assigned to Local Government Districts (LGD) based on the postcode of the practice.

- i) **Number of New Registered Patients by Health Service Dentists in Carrickfergus LGD by (a) dentist for (b) the period April 2008 to March 2009.**

Dentist Surname & Initial	No. of New Registered Patients
Harper W N	331
Clements M	343
Currie A	1,223
Athimoolam D	29
Campomanes De Allende B	122



Dentist Surname & Initial	No. of New Registered Patients
Hanna W R	124
Thompson R M R	85
Buchanan T	245
Blair J	6
Abbott L	234
McVeigh J C	358
Russell L	99
Eller B	850
McVeigh C E	481
Gardner H A	372
McClure A H	520

Source: Family Practitioner Services - HSC Business Services Organisation

- i) **Number of New Registered Patients by Health Service Dentists in Carrickfergus LGD by (a) dentist for (b) the period April 2007 to March 2008.**

Dentist Surname & Initial	No. of New Registered Patients
Harper W N	344
Clements M	115
Law A	253
Athimoolam D	66
Hanna W R	103
Thompson R M R	75
Buchanan T	16
Blair J	76
Abbott L	287
McVeigh J C	231
Russell L	111
Cairns R	645
McVeigh C E	468
Gardner H A	947
McClure A H	358

Source: Family Practitioner Services - HSC Business Services Organisation

- i) **Number of New Registered Patients by Health Service Dentists in Carrickfergus LGD by (a) dentist for (b) the period April 2006 to March 2007.**

Dentist Surname & Initial	No. of New Registered Patients
Harper W N	592
Clements M	199
Law A	624
McDonald S J	35

Dentist Surname & Initial	No. of New Registered Patients
Hanna W R	152
Thompson R M R	123
Buchanan T	84
Blair J	279
Abbott L	385
McVeigh J C	473
Gordon K A	210
Russell L	3
McVeigh C E	552
McClure A H	703
Meekin E	476

Source: Family Practitioner Services - HSC Business Services Organisation

- ii) **Number of New Registered Patients by Health Service Dentists in Newtownabbey LGD by (a) dentist for (b) the period April 2008 to March 2009.**

Dentist Surname & Initial	No. of New Registered Patients
Turner B W	291
McLean F	206
Armstrong L M	251
McKeever M	308
McClinton J	298
Irwin M A	270
Doyle SC	452
Tumelty P	270
Gordon E	177
Alton B C	256
Best S	332
Kirk M B	603
Burns P	401
Gordon K	686
McNally D	24
McCloskey GJ	479
Martin T	228
Lalor A	947
Ferris B S	819
Thompson I	448
Bloomer C	762
Costelloe J	335
Mellor D A R	459
Mellor M C	280

Dentist Surname & Initial	No. of New Registered Patients
Moore J	676
McCann F J	85
Tohani V	725
Tosh M	134
Hodgkinson J	112
McKissick T	54
McKissick JS	60
Lowe P	382
Douglas H	331

**Source:** Family Practitioner Services - HSC Business Services Organisation

- ii) **Number of New Registered Patients by Health Service Dentists in Newtownabbey LGD by (a) dentist for (b) the period April 2007 to March 2008.**

Dentist Surname & Initial	No. of New Registered Patients
Turner B W	371
McLean F	324
Armstrong L M	1,197
McKeever M	146
McClinton J	153
Irwin M A	220
Doyle SC	349
Tumelty P	101
Gordon E	228
Alton B C	299
Best S	591
Kirk M B	622
Burns P	636
Gordon K	452
McNally D	24
McCloskey GJ	962
Martin T	146
Lalor A	58
Ferris B S	1,505
Thompson I	662
Bloomer C	318
Costelloe J	388
Mellor D A R	440
Mellor M C	297
Moore J	874
McCann F J	225

Dentist Surname & Initial	No. of New Registered Patients
Stevenson K	1
Tosh M	184
McKissick T	67
McKissick JS	358
Lowe P	314
Douglas H	362

Source: Family Practitioner Services - HSC Business Services Organisation

- ii) **Number of New Registered Patients by Health Service Dentists in Newtownabbey LGD by (a) dentist for (b) the period April 2006 to March 2007.**

Dentist Surname & Initial	No. of New Registered Patients
Turner B W	350
McLean F	835
Armstrong L M	156
Kostiwi K	1,431
McKeever M	489
McClinton J	515
Irwin M A	336
Doyle SC	341
Tumelty P	1,053
Gordon E	228
Alton B C	601
Best S	1,770
Kirk M B	1,981
Burns P	1,691
McNally D	202
McCloskey GJ	535
Martin T	285
Lalor A	675
Ferris B S	570
Thompson I	962
Bloomer C	532
Costelloe J	443
Mellor D A R	487
Mellor M C	315
Moore J	951
McCann F J	270
Stevenson K	236
Tosh M	294
McKissick T	260



Dentist Surname & Initial	No. of New Registered Patients
MCKISSICK JS	348
LOWE P	827
DOUGLAS H	482

Source: Family Practitioner Services - HSC Business Services Organisation

iii) **Number of New Registered Patients by Health Service Dentists in Larne LGD by (a) dentist for (b) the period April 2008 to March 2009.**

Dentist Surname & Initial	No. of New Registered Patients
Donnelly P J	1,087
Blair J	1,205
Kviklyte Z	227
Lynch F	65
Morrison I	253
Christie J	248
O'Boyle T	290
McGahan A	500
McFaul WM R	453
McGarel R	485
Vila Ortego P	28
Donnelly P J	137

Source: Family Practitioner Services - HSC Business Services Organisation

iii) **Number of New Registered Patients by Health Service Dentists in Larne LGD by (a) dentist for (b) the period April 2007 to March 2008.**

Dentist Surname & Initial	No. of New Registered Patients
Donnelly P J	883
Blair J	793
Rainey S	919
Lynch F	208
Morrison I	366
Christie J	307
O'Boyle T	187
McGahan A	817
McFaul WM R	356
McGarel R	454
Donnelly P J	163
Blair J	2
Rainey S	150

Source: Family Practitioner Services - HSC Business Services Organisation

- iii) **Number of New Registered Patients by Health Service Dentists in Larne LGD by (a) dentist for (b) the period April 2006 to March 2007.**

Dentist Surname & Initial	No. of New Registered Patients
Donnelly P J	733
Blair J	671
Rainey S	1,485
Lynch F	364
Morrison I	394
Christie J	377
O'Boyle T	397
McFaul WM R	503
McGarel R	479
Donnelly P J	141
Blair J	3
Rainey S	149

**Source:** Family Practitioner Services - HSC Business Services Organisation

### Diabetes

**Mrs Hanna** asked the Minister of Health, Social Services and Public Safety how many amputations have been carried out as a result of diabetes, in the last five years, broken down by (i) Health and Social Care Trust area; and (ii) what was the cost of this to the Health Service including aftercare. (AQW 7418/09)

- (i) Minister of Health, Social Services and Public Safety: The number of amputation procedures carried out in Health and Social Care Hospitals in Northern Ireland, where a diagnosis of diabetes was also recorded, in each of the last five years, are shown below;

HSC Providers	2007/08	2006/07	2005/06	2004/05	2003/04
Belfast HSC Provider	134	130	105	111	112
South Eastern HSC Provider	5	7	8	12	14
Northern HSC Provider	2	7	7	12	17
Southern HSC Provider	11	13	15	29	26
Western HSC Provider	8	14	14	14	17
<b>Total</b>	<b>160</b>	<b>171</b>	<b>149</b>	<b>178</b>	<b>186</b>

**Source:** Hospital Inpatient System

- (ii) The table below shows the estimated costs the care of inpatients undergoing amputation procedures in the last five years. The below costs do not include aftercare.

Financial Year	Expenditure (£)
2008/09	unavailable
2007/08	787,916
2006/07	992,902
2005/06	1,057,199

Financial Year	Expenditure (£)
2004/05	1,220,691

### Public Procurement Contracts

**Ms J McCann** asked the Minister of Health, Social Services and Public Safety to detail the companies that were successful in securing public procurement contracts in works, services and goods through the Department, in the last two years and the percentage of those that were from the SME or the Social Economy sectors.

(AQW 7439/09)

**The Minister of Health, Social Services and Public Safety:** DHSSPS, in common with other departments, channels its procurement through contracts that are centrally negotiated and managed by DFP's Central Procurement Directorate (CPD). In those cases where DHSSPS has itself arranged procurement within the framework of a CPD contract, the position regarding SMEs and Social Economy organizations was as follows:

	2007-08	2008-09
Number of contracts awarded	14	7
Registered as SME/Social Economy	6	6
Percentage SME/Social Economy	43%	86%

The above classification of an organization as SME or Social Economy is as provided by CPD, from the database they maintain for the purpose. According to that, the organizations concerned were:

- in 2007-08: Deloitte, Ecom Software Ltd, KPMG, PWC, Queen's University Belfast, and Social Market Research; and
- in 2008-09: BDO Stoy Hayward, Community Evaluation, Deloitte, Hyder Consulting, KPMG, and SMR.

### GPs Visiting Patients: Guidance

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to outline the policy or guidance for GPs visiting patients following their discharge from hospital.

(AQW 7451/09)

**The Minister of Health, Social Services and Public Safety:** The Health and Social Care Board contracts GP practices, under the terms of the new General Medical Service Contract (GMS), to provide essential services required for the management of their patients and to deliver those services in a manner determined by the practice in discussion with the patient or their representative.

The new GMS Contract, which is a nationally agreed contract across the UK, does not require GPs to carry out home visits. If deemed necessary home visits would be carried out following discussion with the patient or their representative.

### Ministerial Questions

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to his answers to questions AQW 7061/09, AQW 7062/09 and AQW 7063/09, if he will consider the establishment of a central database for these types of information for ease of access when answering Ministerial questions. (AQW 7468/09)

**The Minister of Health, Social Services and Public Safety:** The establishment of a central database is not proposed.

### Care Homes: Young People

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the age profile of young people that reside in care homes broken down by (i) Health & Social Care Trust areas; and (ii) care homes. (AQW 7474/09)

**The Minister of Health, Social Services and Public Safety:** It is assumed that this question relates to the number of looked after children aged under 18 in a residential placement.

Information on the age profile of looked after children residing in residential care homes:

(i) In each Health & Social Care Trust is detailed for 31 March 2008 in the table below;

Placement Type	Age Group			
	Under 12	12-15	16+	Total
Belfast HSC Trust	12	35	34	81
Northern HSC Trust	12	21	29	62
South Eastern HSC Trust	12	28	30	70
Southern HSC Trust	9	21	19	49
Western HSC Trust	5	23	29	57
<b>Northern Ireland</b>	<b>50</b>	<b>128</b>	<b>141</b>	<b>319</b>

To avoid personal disclosure information cannot be disaggregated for children aged under 12.

**Source:** Departmental Information Return, LA2

(ii) In each care home is not available in the format requested.

### Therapeutic Units

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the number of children that travel each year to England to be placed in therapeutic units due to the lack of specialist/differentiated residential provision for children in Northern Ireland. (AQW 7478/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of children that travel each year to England to be placed in therapeutic units due to the lack of specialist/differentiated residential provision for children in Northern Ireland is not available in the format requested.

### Hospital Dress Code

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if the hospital dress code announced last year is a recommendation or a regulation. (AQW 7496/09)

**The Minister of Health, Social Services and Public Safety:** The Regional Dress Code Policy is guidance.

It was published by my department in February 2008 and issued to HSC Trusts by the CMO and CNO with the specific recommendation that the dress code policy should be implemented immediately.

### Belfast Health and Social Care Trust

**Mr Robinson** asked the Minister of Health, Social Services and Public Safety if any decision to introduce a staff dress code has been taken, and if so, have all staff of the Belfast Health and Social Care Trust been issued with a copy of this dress code. (AQW 7527/09)

**The Minister of Health, Social Services and Public Safety:** The Belfast Health and Social Care Trust Staff Dress Code Policy was considered and approved by the Policy Committee on 10 November 2008 following this the document was ratified by the Executive Team on 12 November 2008. A list of all Policies and Standards and Guidelines (which included the Staff Dress Code Policy) was presented to the Trust Assurance Committee on 4



March 2009. Staff were advised about the revised Dress Code for Belfast Health and Social Care Trust, via the Trust intranet site on 3 March 2009, and a copy of the Dress Code was attached.

### **Belfast Health and Social Care Trust**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if a decision to introduce a staff dress code was recorded in the minutes of the Belfast Health and Social Care Trust meeting and, if so, what was the date of this meeting. (AQW 7528/09)

**The Minister of Health, Social Services and Public Safety:** The Belfast Health and Social Care Trust Staff Dress Code Policy was considered and approved by the Policy Committee on 10 November 2008 following this the document was ratified by the Executive Team on 12 November 2008. A list of all Policies and Standards and Guidelines (which included the Staff Dress Code Policy) was presented to the Trust Assurance Committee on 4 March 2009.

### **Belfast Health and Social Care Trust**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if a dress code has been introduced by the Belfast Health and Social Care Trust and, if so, on what date it was implemented. (AQW 7530/09)

**The Minister of Health, Social Services and Public Safety:** The Belfast Health and Social Care Trust Staff Dress Code Policy was considered and approved by the Policy Committee on 10 November 2008 following this the document was ratified by the Executive Team on 12 November 2008. A list of all Policies and Standards and Guidelines (which included the Staff Dress Code Policy) was presented to the Trust Assurance Committee on 4 March. The implementation date was 4 March 2009.

### **Anti-TNF Drugs**

**Dr McDonnell** asked the Minister of Health, Social Services and Public Safety in relation to patients who have been assessed as requiring anti-TNF drugs, to detail (i) how many are receiving them; (ii) how many are on the waiting list to receive them; and (iii) what is the criteria for moving up the waiting list. (AQW 7600/09)

**The Minister of Health, Social Services and Public Safety:** I have allocated additional funding of £39.1m for specialist drugs including anti-TNF drugs over the CSR period 2008/11. The HSC is working towards reducing the waiting time for anti-TNF drugs for severe arthritis to nine months by March 2010 and 21 weeks by March 2011. An interim target to achieve a maximum waiting time of 18 months by the end of March 2009 was achieved.

The Department does not collect information on patients waiting for or receiving anti-TNF drugs for conditions other than severe inflammatory arthritis. At 31 March 2009 there were (i) 1157 patients receiving anti-TNF drugs for the treatment of severe inflammatory arthritis with (ii) 485 patients waiting to start treatment. (iii) Patients of equal clinical priority are treated in chronological order starting with those who have been waiting longest.

### **Maternity Services Strategy**

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety why the proposed development of a maternity services strategy was removed as a Departmental target, at a departmental board meeting. (AQW 7651/09)

**The Minister of Health, Social Services and Public Safety:** The Departmental Board's position on this matter reflects my decision that in light of the priorities emerging during 2008, this work was better delayed until the Regulation and Quality Improvement Authority review of maternity services along with the review of maternity capacity in the Eastern Board area were completed.

Once both these reviews are completed and the results examined a new departmental objective in this area will be considered.

## Maternity Support Strategy

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety whom he, or his officials, consulted on the decision to remove the maternity support strategy as a departmental target. (AQW 7654/09)

**The Minister of Health, Social Services and Public Safety:** The Departmental Board position on this matter reflects my decision that in light of priorities emerging in 2008, this work was better delayed until the Regulation and Quality Improvement Authority review of maternity services and the Eastern Health and Social Services Board review of maternity capacity were completed.

Once both these reviews are completed and the results examined, a new departmental objective in this area will be considered.

## Caesarian Sections

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety, in relation to the Ulster hospital, (i) how many caesarian sections have been performed in the last three years; and (ii) how does he intend to make full use of the new maternity facility. (AQW 7690/09)

**The Minister of Health, Social Services and Public Safety:** The number of caesarean sections performed at the Ulster Hospital in the last three years is as follows:

Financial Year	No. of caesarean sections	No. of babies born by c-section	Total Births	Rate of Caesarian Sections
06/07	609	623	2741	22.7%
07/08	683	707	3023	23.4%
08/09	805	828	3466	23.9%

The caesarean rate at the Ulster Hospital is lower than the average rate of 28% for 2007/08 across Northern Ireland. The new maternity unit at the Ulster Hospital has proved a popular choice with patients. The unit offers state of the art, purpose built accommodation for mothers and newborn children and all the facilities there are in use.

## Hospital Hygiene Audits

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7329/09, to confirm, if and when, all monthly hospital hygiene audits will be carried out and published. (AQW 7718/09)

**The Minister of Health, Social Services and Public Safety:** Environmental cleanliness audits in hospitals should be carried out based on the frequency recommended in Cleanliness Matters Toolkit. In my response to AQW 7329/09, I indicated that I had no plans to publish the results of monthly audits.

## Hospital Hygiene Audits

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7329/09, for his assessment of the value of the compulsory publication of audits at the entrance to the ward being an incentive to ensure they were completed, as recommended in the Cleanliness Matters Toolkit. (AQW 7719/09)

**The Minister of Health, Social Services and Public Safety:** The Cleanliness Matters Toolkit is guidance which sets out a framework for internal monitoring/audit of environmental cleanliness by Health & Social Care Trusts to allow cleaning performance to be highlighted. This is supported by the Environmental Cleanliness Controls Assurance Standard which underlines the necessary governance requirements. Compulsory publication is not proposed.

### Hospital Hygiene Audits

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7329/09, to confirm that the only published unannounced inspection reports by the Regulation and Quality Improvement Authority are (a) Altnagelvin and Waterside Hospitals in May 2008; (b) Belfast City in April 2008; (c) Causeway in June 2008; (d) Craigavon in March 2008; and (e) Downe in May 2008; and for his assessment of whether this is sufficient to provide public safeguards against hygiene lapses. (AQW 7720/09)

**The Minister of Health, Social Services and Public Safety:** I can confirm that the only unannounced inspection reports published by the Regulation and Quality Improvement Authority so far are those listed in the question AQW 7720/09. The inspections are an important element in a package of measures which aims to reduce the risk of hygiene lapses.

### Hospital Hygiene Audits

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety when the Royal Victoria Hospital was subjected to an unannounced inspection by the Regulation and Quality Improvement Authority. (AQW 7721/09)

**The Minister of Health, Social Services and Public Safety:** The Regulation and Quality Improvement Authority (RQIA) has completed unannounced inspections of one acute hospital in each Trust area and reports have been published. RQIA plans to inspect the remaining seven acute hospitals before the end of the calendar year including the Royal Victoria Hospital.

### Residential Care Settings

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety how many children and young people are sent to residential care settings or other facilities outside Northern Ireland; and to detail the reasons and costs for taking this action. (AQW 7788/09)

**The Minister of Health, Social Services and Public Safety:** Information regarding how many children and young people are sent to residential care settings or other facilities outside Northern Ireland and the costs for taking this action is not available in the form requested.

There are a variety of reasons why placements outside Northern Ireland occur which are not necessarily associated with the absence of appropriate residential care settings or other facilities within Northern Ireland. This may be that the child or young person's assessed health and social needs are exceptional and local services are not considered to be the appropriate response. A placement outside of Northern Ireland may be as a result of an assessment of the risks a child or young person poses to himself or other people, their needs or behaviour or the unavailability of appropriate specialist services in Northern Ireland.

### Epilepsy Specialist Nurses

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to detail the times and locations of dedicated clinics held by Epilepsy Specialist Nurses in the Western Health and Social Care Trust area. (AQW 7902/09)

**The Minister of Health, Social Services and Public Safety:** It is primarily for the Health and Social Care Board, as the commissioner of services, to prioritise and allocate resources to meet the needs of the population within each Trust area.

At Altnagelvin Hospital, patients are seen by Consultant Neurologists at the Neurology Clinic. In addition a senior epilepsy nurse from Belfast continues to attend Altnagelvin once every 3 months to review patients there.

A nurse-led epilepsy clinic is currently held once a month on a Friday afternoon at Tyrone County Hospital.

I am further advised that the Trust plans to commence a clinic in September 2009 at the Erne Hospital.

### Specialised Paediatric Epilepsy Nurses

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to detail the number of specialised paediatric epilepsy nurses and their location, in the Western Health and Social Care Trust area.

(AQW 7911/09)

**The Minister of Health, Social Services and Public Safety:** The Western Health and Social Care Trust has advised that although there currently are no Specialised Paediatric Epilepsy Nurses employed by the Trust, 2 (1.00 Whole-Time Equivalent) Specialised Paediatric Epilepsy Nurses have recently been appointed and are due to take up post in June 2009. One of these Nurses will cover the Northern Sector of the Trust while the other will cover the Southern Sector of the Trust.

### Free Personal Care: Cost

**Mr McCartney** asked the Minister of Health, Social Services and Public Safety, following the report on the cost of free personal care, if he will provide clarification on the proposal that family homes are excluded from the financial assessment.

(AQW 8116/09)

**The Minister of Health, Social Services and Public Safety:** As part of the report I commissioned on the cost of introducing free personal care, my officials conducted a survey of care home residents in July 2007. Based on this information, it was estimated that the alternative option of disregarding a resident's former home from the financial assessment to determine how much they can contribute to the cost of their care, would cost some £44.3m and benefit 2,926 of the 14,232 residents in care homes at that time.

I have considered this issue very carefully against the competing priorities I face across the health service and have concluded that neither free personal care nor the exclusion of all family homes in financial assessments, is affordable within the current CSR period. However, there is currently no requirement to sell a former home to meet an assessed contribution; how a resident meets this contribution is a matter for the resident and their advisers.

### Bonuses Paid to Permanent Secretary

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety how much was paid in bonuses to his Department's Permanent Secretary in each of the last five financial years.

(AQW 8122/09)

**The Minister of Health, Social Services and Public Safety:** Combined salary and bonus information for the Permanent Secretary of the Department of Health, Social Service and Public Safety is currently provided through Resource Accounts in £5k bands, available from [www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk) It is not our policy to disclose the remuneration details of individual civil servants, other than in broad terms as provision of personal information of this nature would breach the principles of the Data Protection Act.

### Self-Harm

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many emergency admissions to hospitals have there been due to self-harm or suicide attempts in the past 12 months, broken down by hospital.

(AQW 8133/09)

**The Minister of Health, Social Services and Public Safety:** The number of emergency admissions to hospital due to self harm or suicide attempts during 2007/08 (the latest 12 month period for which data is available), broken down by hospital is shown in the following table:-

Hospital	Emergency Admissions
Belfast City	578
Ulster	492
Royal Victoria	443
RBHSC	<5



Hospital	Emergency Admissions
Mater	711
Lagan Valley	129
Downe	188
Causeway	158
Whiteabbey	25
Mid Ulster	77
Antrim	541
Craigavon	656
Daisy Hill	272
Altnagelvin	584
Erne	106
Tyrone County	122

Source:- Hospital Inpatient System

Deaths and discharges are used to approximate admissions. These figures do not equate to individuals as a person may be admitted to hospital more than one in a year or across a number of years.

### Shambles, Armagh: Fire Station

**Mr Kennedy** asked the Minister of Health, Social Services and Public Safety what plans he has for the former fire station site at the Shambles, Armagh. (AQW 8139/09)

**The Minister of Health, Social Services and Public Safety:** The former Armagh fire station is surplus to requirements following the opening of the new Armagh fire station in January 2009.

Armagh City & District Council has expressed an interest in purchasing the site following a trawl across public sector bodies in accordance with policy requirements. Discussions are ongoing between the Council, NIFRS and Land & Property Service officials in relation to the proposed sale to Armagh Council.

### Scottish Medical Consortium

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety if the recommendations of the Scottish Medical Consortium have any legal standing in Northern Ireland. (AQW 8151/09)

**The Minister of Health, Social Services and Public Safety:** The Scottish Medicines Consortium (SMC) assesses and makes recommendations on all new drugs to NHS Boards and their Area Drug and Therapeutics Committees across Scotland. SMC recommendations have no legal standing in Northern Ireland. SMC guidance is not currently reviewed or assessed as applicable in Northern Ireland.

### Child Abuse in the Republic of Ireland

**Mr Ford** asked the Minister of Health, Social Services and Public Safety what the implications are for child care and child protection in Northern Ireland arising from the report of The Commission to Enquire into Child Abuse in the Republic of Ireland (AQW 8153/09)

**The Minister of Health, Social Services and Public Safety:** I was concerned to learn about the level of abuse highlighted by the Ryan Report. Officials are considering the Report and whether there are any implications for Northern Ireland.

The statutory framework requires that where allegations of child abuse come to light within Northern Ireland these must be reported immediately to PSNI and/or Social Services for investigation. I believe that where there is evidence of child abuse perpetrated by an individual then they should be brought before the court.

Under current legislative procedures in Northern Ireland individuals who wish to work in a paid or unpaid capacity with children in a regulated position will be subject to pre-employment vetting procedures. Information regarding individuals who have harmed a child or placed a child at risk of harm will be considered with a view to placing that individual on a disqualification list thereby preventing them from working with children in the future. Individuals placed on disqualification lists have the right of appeal to the independent Care Tribunal.

The introduction of new Safeguarding Vulnerable Groups legislation later this year will further strengthen protection for children and vulnerable adults in workplace situations. These new safeguarding arrangements will help to meet Government's commitment to increasing public protection by significantly extending the range of activities and workplaces from which individuals may be barred from working with children and vulnerable adults. Consequently, many more individuals than at present who may pose a risk to children or vulnerable adults can be removed from the workplace.

I have just approved policy arrangements for the establishment of a regional, independently-chaired Safeguarding Board for Northern Ireland. The Board will ultimately replace the four non-statutory Area Child Protection Committees and will have a duty to make arrangements to safeguard the welfare of children and young people. There will be a duty for relevant agencies to make arrangements to safeguard and promote the welfare of children and to co-operate to improve the well being of children.

### Social Workers

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to answer AQW 7101/09, to detail how many social workers employed by the Southern Health and Social Care Trust have undertaken the six week training course in child protection delivered to community volunteers through Community Sector Training; and do those who have participated need to re-train every three years.

(AQW 8154/09)

**The Minister of Health, Social Services and Public Safety:** The Southern Health and Social Care Trust have advised that none of the social workers employed by SHSCT undertake the six week training course in child protection offered by Community Sector Training. Community Sector Training was funded by the Southern Health & Social Services Board and the training offered is targeted at community and voluntary groups who are not required to be registered as Early Years providers under the Children (NI) Order. As referred in my previous answer, social workers employed by the Trust receive child protection training as part of their social work course, during induction and as part of in-service training. All social workers are registered with the Northern Ireland Social Care Council and, as such, are required to undertake continuous professional training to meet re-registration requirements to keep their knowledge and skills updated. Re-registration occurs every 3 years.

### Road Traffic Collisions

**Mr Storey** asked the Minister of Health, Social Services and Public Safety who is responsible for notifying the Fire and Rescue Service to attend road traffic collisions.

(AQW 8157/09)

**The Minister of Health, Social Services and Public Safety:** The Northern Ireland Fire and Rescue Service (NIFRS) will attend road traffic collisions when notified by a member of the public or when contacted by Police and Ambulance Services. Its Regional Control Centre personnel will establish the facts of the road traffic collision to determine if NIFRS attendance is required, for example if persons are trapped in a vehicle or if there is a fire or risk of fire.

### Road Traffic Collisions

**Mr Storey** asked the Minister of Health, Social Services and Public Safety (i) how many road traffic collisions were attended by the Ambulance Service in the past twelve months; and (ii) how many of these were attended by the Fire and Rescue Service.

(AQW 8158/09)

**The Minister of Health, Social Services and Public Safety:** Information on the joint attendance at road traffic collisions by the Northern Ireland Ambulance Service (NIAS) and the Northern Ireland Fire and Rescue Service (NIFRS) is not recorded. During the 2008/09 financial year NIAS attended 4,937 road traffic collisions, NIFRS attended 749 during the same period. However, it is likely that the majority of those incidents attended by NIFRS were also attended by NIAS.

### Speech and Language Therapy Task force

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety to provide an update on the implementation of the Speech and Language Therapy Task force recommendations. (AQW 8194/09)

**The Minister of Health, Social Services and Public Safety:** My Department has established a multi-agency Speech and Language Therapy Action Plan Project Team to develop and agree an action plan taking account of the recommendations made in the Task Force Report. It is intended that the work of the Project Team will be completed and an agreed Action Plan, which will be subject to public consultation, launched before the end of 2009. The Project Team met with representatives, which included the Department of Education, The Royal College of Speech and Language Therapists, Health and Social Care Trusts, and the Regional Health and Social Care Board, at a focus group event being hosted by my Department on 12 June 2009.

### Tyrone County Hospital

**Dr Deeny** asked the Minister of Health, Social Services and Public Safety how much money has been spent by his Department in transporting nurses by (i) bus; and (ii) taxi, from the Tyrone County Hospital to work in the Altnagelvin and Erne Hospitals (AQW 8195/09)

**The Minister of Health, Social Services and Public Safety:** I am advised that the Western Health and Social Care Trust has spent £13,835 for the period from 27 February 2009 to 3 May 2009 in transporting nurses from the Tyrone County Hospital to the Erne and Altnagelvin hospitals. All costs relate to taxi hire. The decision to transport nurses between the two sites was taken at the request of staffside to facilitate staff.

The Trust continues to work with staff to determine the long term placement of staff and detailed discussions have taken place with the Royal College of Nursing and UNISON at every stage in the process. Whilst the Trust expects this process to be completed by 3rd August this is subject to review by the Trust.

### Tyrone County Hospital

**Dr Deeny** asked the Minister of Health, Social Services and Public Safety for how long the practice of transporting nurses from the Tyrone County Hospital to work in the Altnagelvin and Erne Hospitals will continue. (AQW 8196/09)

**The Minister of Health, Social Services and Public Safety:** I am advised that the Western Health and Social Care Trust has spent £13,835 for the period from 27 February 2009 to 3 May 2009 in transporting nurses from the Tyrone County Hospital to the Erne and Altnagelvin hospitals. All costs relate to taxi hire. The decision to transport nurses between the two sites was taken at the request of staffside to facilitate staff.

The Trust continues to work with staff to determine the long term placement of staff and detailed discussions have taken place with the Royal College of Nursing and UNISON at every stage in the process. Whilst the Trust expects this process to be completed by 3rd August this is subject to review by the Trust.

### Bonuses Paid to Senior Civil Servants

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety how much was paid in bonuses to senior Civil Servants in his Department in the year 2008/09. (AQW 8197/09)

**The Minister of Health, Social Services and Public Safety:** Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Department of Health, Social Services and Public Safety in respect of performance year 2008/09 is not yet available.

## NICE Guidelines

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if he would consider implementing the current NICE guidelines that recommend providing 3 cycles of In vitro fertilisation or intracytoplasmic sperm injection. (AQW 8312/09)

**The Minister of Health, Social Services and Public Safety:** Northern Ireland does aspire to provide the full three cycles of fertility treatment as recommended by NICE however financial constraints currently make this unachievable. The current provision of one publicly funded cycle of treatment is comparable to many other areas of the United Kingdom.

I have recently announced an additional £1.5m recurrent funding for fertility services. This, in addition to an investment of £800k in a waiting list initiative, means that no patient will now wait more than 12 months for treatment from being placed on a waiting list. It is hoped that it will also be possible to introduce a cycle of Frozen Embryo Transfer in addition to the currently funded stimulated cycle of treatment where this is appropriate.

## Severe Intractable Epilepsy

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the assistance his Department provides for children with severe intractable epilepsy and their families, who are forced to go to the United States for treatment. (AQW 8331/09)

**The Minister of Health, Social Services and Public Safety:** I am fully committed to ensuring that children suffering from intractable epilepsy and their families receive the highly specialist services they need.

High quality care for children with epilepsy is available in Northern Ireland and other UK centres, and no family is forced to access care in the United States. Specialists at Great Ormond Street Hospital in London provide a range of services comparable to those available at the Children's Memorial Hospital in Chicago.

It would not be appropriate for my Department to support any referral to a hospital in the United States unless it was clear that all possible help within the UK had been exhausted and there was evidence that firstly referral outside the UK – and secondly outside the EU – was required to secure necessary treatment.

## Fertility Counselling Services

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to outline his plans for improving fertility counselling services. (AQW 8358/09)

**The Minister of Health, Social Services and Public Safety:** Counselling services are an integral part of fertility treatment and it is for commissioners and trusts to ensure that is readily available where and when needed. In September 2006 my predecessor announced an additional £50k per annum to improve the accessibility of counselling services within fertility services and this is being utilised to provide extra services including fertility nurse advisers in each Trust providing secondary and tertiary fertility services. Funding has also been provided to Infertility Network UK to provide information and support to patients.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### GPS Tracking

**Mr McCallister** asked the Minister for Regional Development to detail punctuality statistics from on-board GPS tracking, broken down by each bus route that serves the South Down Constituency, in each of the last five years. (AQW 8113/09)

**The Minister for Regional Development (Mr Murphy):** Translink has informed me that it cannot provide the information requested. Translink's ticket machines have a GPS capability, but it is for the purpose of identifying fare stages and not for tracking vehicle punctuality.



### Translink: GPS Tracking

**Mr McCallister** asked the Minister for Regional Development to provide punctuality statistics from on-board GPS tracking, for each 200 series express bus route run by Translink, in each of the last five years.

(AQW 8114/09)

**The Minister for Regional Development:** Translink has informed me that it cannot provide the information requested. Translink's ticket machines have a GPS capability, but it is for the purpose of identifying fare stages and not for tracking vehicle punctuality.

### Route Management Strategy

**Mr Butler** asked the Minister for Regional Development (i) to detail the Route Management Strategy for the A26 between the Moira roundabout and Nutts Corner roundabout; and (ii) what proposals there are for improvements within the vicinity of Glenavy village.

(AQW 8147/09)

**The Minister for Regional Development:** In general, Route Management Strategies comprise of the investigation of a range of minor measures, aimed at delivering safety benefits as well as considering enhancements, to provide a more consistent standard of road.

With regard to the A26, my Department's Roads Service has advised that a study of this road has resulted in a number of proposals at various junctions along the route, including roundabouts at Ballinderry and Glenavy along with right turning pockets at six other junctions.

In relation to Glenavy, the study identified some pedestrian improvements in the vicinity of the village. These propose the upgrading of existing footways on the A26 and Main Street as well as providing an additional footway in Main Street. Roads Service has also considered improving pedestrian crossing facilities at the bus stops at Chestnut Glen and Lisburn Road.

These proposals will be assessed, scored and prioritised in future Minor Works programmes. However, scheme delivery will be dependent on the successful completion of statutory processes and the necessary funding being available.

### Car Parking

**Mr Butler** asked the Minister for Regional Development, since NCP/NSL was awarded the contract, to detail the income received by Roads Service (i) from car parking charges; and (ii) from car parking fines.

(AQW 8152/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the on-street parking enforcement contract with NCP/NSL commenced at end-October 2006. Traffic Attendants, employed by NCP/NSL, began issuing Penalty Charge Notices (PCNs) in November 2006.

In the period since then, to end-March 2009, the net amount received from car parking charges, excluding VAT is £25.5 million. For the same period, the amount received from the payment of PCN's is £9.8 million.

Revenue generated by the payment of PCNs, along with income from car-parking and other charges, is used by Central Government to supplement the overall financing of Roads Service.

For the year ended 31 March 2009, the cost to operate car park services, including off-street car parks, on-street pay and display and the enforcement of on-street parking restrictions, was in the region of £24 million. With revenue from car parking charges and PCN payments during the same period totalling approx £15million, the net deficit to the Department, to operate this service, is approx £9million for the year 2008/09.

### Ards Borough Council: Bus Services

**Mr Shannon** asked the Minister for Regional Development if he will consider reducing the £1.70 cost of the all day pass in light of the reduction in bus services in the Ards Borough Council area.

(AQW 8160/09)

**The Minister for Regional Development:** It is not my role to determine fare changes for individual services or ticket types. This is an operational decision for Translink. Translink financial plans have to take account of commercial obligations and the funding available.

Ulsterbus town service fares are consistent across the North. The changes to bus services in May impacted on a number of Ulsterbus town services. My understanding is that the changes to bus services in the Ards Borough Council area were minimal in that they impacted on very low use routes. As a result of discussions with the Consumer Council, Translink took the decision to remove the town day ticket rather than increase it to £2.40. A new town service day return ticket was introduced at £1.90 (a reduction of 10p).

### Translink Job Losses

**Mr Shannon** asked the Minister for Regional Development to outline how the proposed jobs losses within Translink are to be conducted; and if voluntary redundancies are to be considered first. (AQW 8161/09)

**The Minister for Regional Development:** Translink have advised me that the voluntary redundancy process has been undertaken. Translink asked their employees to inform the Company if they wanted to be considered for voluntary redundancy by mid April. These requests were considered based on business needs, locations and costs. Translink have confirmed that the majority of the staff involved have now left, with the remainder to go in the next few months. No compulsory redundancies are involved.

### Bus Services

**Mr Shannon** asked the Minister for Regional Development if Translink will reconsider the review of bus services which started in May if numbers of passengers justify reinstatement. (AQW 8162/09)

**The Minister for Regional Development:** Translink operates under a commercial remit and, in order to keep fares increases to a minimum, constantly faces the challenge of keeping costs under control. In this context Translink has had to look at low use bus services and decide whether or not to continue running them. Low use public transport services do not represent good value for money to the taxpayer nor is it environmentally friendly to run buses which are largely empty particularly where alternatives are available.

Translink continually monitor the demand for bus services but it is unlikely in the foreseeable future that the service changes announced will be reversed.

### Newtownards: Bus Services

**Mr Shannon** asked the Minister for Regional Development for his assessment as value for money of the removal of bus services and routes in Newtownards, resulting in a reduction of 22,500 journeys and the loss in revenue of £37,400. (AQW 8180/09)

**The Minister for Regional Development:** Translink has informed me that it took the operational decision to withdraw those services in Newtownards that, on average, carried fewer than two passengers per journey and were not commercially viable to operate. Translink is not aware of the figures you have quoted in your question. It would therefore be my assessment that the decision to withdraw these services was prudent.

### Traffic Calming Schemes

**Mr Gardiner** asked the Minister for Regional Development how many traffic calming schemes are operational in the Upper Bann constituency and how many more are planned over the next three years. (AQW 8205/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that there are 34 traffic calming schemes, and 17 school travel and safety projects within the Upper Bann constituency.

It is expected that a further eight traffic calming schemes and four school travel and safety projects will be introduced in this financial year.

At present programmes for traffic calming schemes and school travel and safety projects, beyond financial year 2009/10, have not yet been developed.

### Salt Boxes

**Mr Gardiner** asked the Minister for Regional Development (i) how many salt boxes have been provided in the Upper Bann area; (ii) to indicate their location; and (iii) are any more planned in the next year. (AQW 8206/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that there are currently a total of 185 salt boxes provided within the Upper Bann Parliamentary Constituency area and details of locations are listed below.

I can also advise that Roads Service has no current plans to provide any additional salt boxes in the Upper Bann area for the 2009/10 winter season. Requests for salt boxes are assessed in accordance with Roads Service guidelines and currently there are no outstanding requests within the Upper Bann area.

Street Name	Location
<b>PORTADOWN AREA</b>	
Kernan Gardens	Junction Kernan Road
Seagoe Drive	Junction Seagoe Road
Upper Ramone Park	Half way up hill (grass area)
Ramone Park	1st Layby
Ballyhannon Road	Entrance to No 41A
Ballyhannon Grove	1. Between Nos 17 & 18 2. Between Nos 27 & 28
Ballyhannon Lane	Street light No 10
Larchwood	Street light 02 near junction
Killycomaine Drive	Junction Killycomaine Gardens
Ulsterville Park	Gable No 86 Ulsterville Grove
Canvy Manor	At No 57 (junction Long Lane)
Beaufort Manor	Junction Drumnacanvy Road
Bocombra Avenue	At Street light 03
Calvertstown Manor	Junction Calvertstown Road
Brownstown Park	Opposite gable No 6
Drumard Avenue Roundabout	At Roundabout
Drumard Avenue	At Derryclone Gardens
Tullyroan Drive	Grass area at 36-72 Drumard Avenue
Moeran Park	Gable of No 1 at garages
Hobson Park	Rear of 17 Moeran Park
Deramore Drive	No 61 on bend
Brownstown Road	At steps leading to pensioners houses
Corcrair Drive	1. BT pole front of No 60 2. BT pole at grass area opp No 104 3. Street light 0210 front of No 36
Corcrair Avenue	Opposite near No 24
Drumilly Green	Footway at flats 1c & 1d (westland road junction)
Ashley Heights	Junction Andre Drive

Street Name	Location
Marlborough House	Rear access road
Meadowbrook	Rear of No 108
<b>LURGAN AREA</b>	
Hoophill Park	Top of park
Wood Lane	Junction Banbridge Road
Wood Lane	Junction Regents Park
Lisnasure Road	Junction Hillview Park
Sandhill Park	Top of Hill
William Street, Donaghcloney	Junction Main Street
Newforge Road	Junction Malcolmson Park
Elmhurst	Junction Steps Road
Woodville Avenue	Junction Lough Road
Shane Park	Junction Banbridge Road
Clanconnel Gardens	Junction Banbridge Road
Monroe Avenue	Junction Wheatfield Drive
Annsborough Park	Front of No 34
Oakleigh Heights (North Street)	At street light No 8004
Connaught Park (Upper Toberhewny Lane)	Grass verge beside No 4
Donaghcloney Road	Junction Clover Brae
The Grange	Gable of No 99
Bullays Hill (Annsborough Road)	At shrub bed
Albert Avenue	At top of hill
The Poplars	At junction near No 2 The Poplars
Baird Avenue	Gable of House No 45
Glencroft, Magheralin	At street light No 02
Soye Crescent	Junction North Circular Road
Ashgrove Drive	On hill on Ashgrove Drive
Ballymacbredan Road	On footpath at Street Light 0102
Bowens Lane	On footpath beside 1 & 3 Bowens Manor
<b>BANBRIDGE</b>	
Arderys Lane	At Street Light 1207
Tullyear Avenue	Near House No 14
Foxleigh Fields	At junction 2nd House
Rathview	At House No 40 near roundabout
Rathview	At House No 95
Thorn Heights	At Street Light 25
Thorn Heights	On grass area opposite street light 01
Thorn Heights	Turning head near House No 70
Thornhill	Side of House No 17



Street Name	Location
Thornhill	5 m up from Street Light 19
Thornwood	At House No 1
Hillside Park	Opposite House No 28
Highfield Gardens	At Street Light 1504
Forthill Green	At House No 30
Downshire Gardens	At House No 22
Legion Court	At House No 4
Hillhead Park	Opposite Hillhead Close junction
Wyncroft Heights	Opposite House No 4 on grass area
Larchwood Avenue	At House No 4
Larchwood Crescent	Side House No 17 L/Avenue
Larchwood Mews	Side House No 9 L/Avenue
Larchwood Avenue	At House No 41
Gowanvale Drive	At Ballygowan Road end
Hawthorn Hill	Opposite House No 28
Thorndale	At Ballygowan Road end
Pinley Green	Opposite House No 17
Pinley Park	At Street Light 04 opposite House No 04
Ballygowan Park	At House No 14
Granville Gardens	At Street Light 6 in centre parking
Reilly Park	On cobbles near school entrance
Scarva Walk	Rear House No 34 Riley Street
Scarva Walk	Between Abbetfield and No 1
Victoria Gardens	Side House No 12 Victoria Street
Edenderry Park	Grass area outside House No 173
Edenderry Park	At sub station opposite House No 124
Iveagh Park	At House No 78
Iveagh Close	At street sign wall
Brookfield Avenue	At Street Light 15 near House No 71
Brookfield Park	At electric box near House No 108
Brookfield Park	Near opposite House No 42
Dunbar Road	Opposite Nursery
Huntly Bungalows	At House No 35
Huntly Bungalows	At House No 5
Downshire Place Car Park	At wall facing Imperial
Downshire Place Car Park	Top of car park
Bridge Street Car Park	At Street Light 11
Kenlis Place	Area below No 6
Maryville Park	Opposite House No 1

Street Name	Location
Maryville Park	Opposite House No 22
Parkview, Rathfriland Street	At footpath wall near House No 10
Gospel Lane Car Park	Near entrance
Kensington Avenue	Opposite House No 10
Kensington Avenue	Opposite House No 15
Kensington Avenue	Opposite House No 27
Kensington Avenue	Opposite House No 33
Oakridge	At crossroads near House No 13
Oakdale	Opposite House No 48
Castle Lodge	At fence near Street Light No 2
Chinauley Park	Opposite House No 26
Bramblewood Drive	Opposite House No 58 at corner junction
Bramblewood Drive	At House No 92
Old Forge	At House No 1
Bramblewood Drive	At house sales office opp House No 1
Ballydown Meadows	Opposite Street Light 9
Ballydown Meadows	At House No 5
Ballydown Meadows	At Castlewellan Road end
Church Square Car Park	Opposite Public Toilets
Mountview Drive	Side House No 1
Mountview Drive	Opposite House No 5
Mountview Park	Side House no 31
Mountpleasant	Entrance
Moorfield	Opposite House No 8
Mount Charles	Side House No 25
Mount Charles	Opposite House No 3
Konver Heights	At House No 14
Konver Heights	Opposite House No 2
Tudor Oaks	At Hill Street end
The Rowans	At Ballymoney Road end
Brook Gardens	At Dromore Street end
Richmond Heights	Opposite House No 23
Richmond Heights	Opposite House No 31
Willow Grove	Near junction Dromore Road
Willow Grove	At House No 30
Willow Close	Side House No 12
Bridgeways/Ballyvally Heights	Opposite House No 3 at green area
Bridgeways	At House No 8

Street Name	Location
Bridgeways	At Street Light 0417
Ballvally Heights	At Street Light No 10
Ballvally Heights	At Street Light No 27
Ballvally Heights	At Street Light opp House No 22
Mornington	At House No 11
Mornington	Opposite House No 9
Mornington	At Dromore Road end
Rockmore	Side House No 15
Laurel Heights	At Street Light 08 1st junction
Laurel Heights	At end of cul-de-sac
Laurel Heights	At Street Light 14
Laurel Heights	At Street Light 20
Churchview Drive	At House No 22
Bannview Heights	At House No 33
Bannview Heights	At Street Light 31
Kiloanin Crescent	At Street Light 15
Kiln Lane	On verge opposite Kiloanin Crescent
Milford Green	Opposite House No 23
Milford Green	At House Nos 14/15
Bodell Place	Opposite House No 1
Seapatrik Road	Opposite House No 3
<b>LAWRENCETOWN</b>	
Drumnascamph Road	At community centre
Hillside Crescent	At House No 6
Hillside Crescent	Opposite House No 1
Hillside Crescent	Side House No 47
Point Road	On hill at houses
Locard Park	Side House No 20
<b>GILFORD</b>	
Hunters Hill	At primary school
Hunters Hill	At Church
Hill Street	Opposite House No 14
Hill Street	At St Light 0208
Dunbarton Bungalows	Near opp Street Light 0209
Copperfields	At Whinny Hill end
Stramore Park	At Stramore Road end
Pineview Court	At 'T' junction
Castle Meadows	At A50 junction

Street Name	Location
<b>SCARVA/LOUGHBRICKLAND</b>	
Gleeloughan	At House No 1
Donard View Road	Opposite New Bridge School
Greenan Court	At Street Light 05
Greenan Drive	At corner between House No 4&5
Maple Drive	At Rathfriland Street junction
Rathfriland Street	Opposite House No 6

### Upper Bann: Tourist Signage

**Mr Gardiner** asked the Minister for Regional Development to outline what tourist signage is currently provided to tourist attractions or amenities in the Upper Bann area and if he plans to enhance or extend the signage. (AQW 8207/09)

**The Minister for Regional Development:** My Department's Roads Service has developed a policy jointly with the Northern Ireland Tourist Board regarding the provision of tourist signs in the North. This policy indicates that all enquiries regarding tourist signing are dealt with initially by the relevant local council and, as such, I would direct you to Craigavon and Banbridge Councils which cover the Upper Bann area.

Roads Service hold no historical inventory of tourist signing provided in the Upper Bann area, however, my Department will continue to fulfil its role in assisting local Councils with the provision of signing that complies with the tourist signing policy.

### Northern Ireland Water

**Mr Gardiner** asked the Minister for Regional Development how many complaints have been received by NI Water about poor water pressure, broken down by postcode. (AQW 8208/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that it does not hold records of complaints broken down by postcode and is therefore unable to provide the information sought. However, since its establishment on 1 April 2007, NIW has received a total of 14,660 complaints from customers regarding poor water pressure.

### Upper Bann: Water System

**Mr Gardiner** asked the Minister for Regional Development to detail (i) the percentage of the water system which has asbestos lagging on the pipes; and (ii) when will these pipes be replaced, in the Upper Bann area. (AQW 8209/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that approximately 0.35 percent of the 1,243 kilometres of water mains in the Upper Bann area are asbestos cement pipes.

NIW is currently undertaking extensive water main replacement through its Watermain Rehabilitation Programme but there is no specific programme to replace asbestos cement pipes. These pipes are approved fully for use in the water industry and will, similar to other types of pipes, only be replaced if there is a problem with their structural condition or performance.

### Translink

**Mr Gardiner** asked the Minister for Regional Development how many instances of bullying on Translink buses have been reported in the Lurgan, Portadown and Banbridge areas, in each of the last three years. (AQW 8219/09)



**The Minister for Regional Development:** I have been informed by Translink that one case of bullying was reported in Portadown in 2007 and one case in Lurgan in 2009.

### **Craigavon Borough Council and Banbridge District Council: Road Openings**

**Mr Gardiner** asked the Minister for Regional Development (i) how many roads have been opened in the Craigavon Borough and Banbridge District Council areas; and (ii) if there have been any prosecutions for road opening offences, in each of the last three years. (AQW 8220/09)

**The Minister for Regional Development:** For the purpose of responding, it is assumed that the Member is referring to the number of road openings in the Craigavon Borough and Banbridge District council areas made by utility providers and others.

My Department's Roads Service advises that the number of road openings, during the last three financial years, is as follows:

Year	Number Of Road Openings
2006/07	1337
2007/08	3072
2008/09	4310

During the last three years Roads Service did not consider it necessary to refer any offence, in connection with a road opening in the above named Council areas, for prosecution.

### **Craigavon Borough Council and Banbridge District Council: Road Flooding**

**Mr Gardiner** asked the Minister for Regional Development what action his Department has taken to address road flooding issues in the Craigavon Borough and Banbridge District Council areas, in each of the last three years. (AQW 8221/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it takes a proactive approach to road flooding issues in both the Banbridge and Craigavon Council areas. Roads Service officials have advised that road gullies and drainage outlets in both Council areas are cleaned routinely, in accordance with its Maintenance Guidelines.

In addition to ongoing routine maintenance activities, a substantial annual programme of structural drainage repairs and new drainage systems has been carried out. Details of all such works are contained in the Roads Service Southern Division Annual Council Reports. The current Council Report includes details of drainage and can be accessed at:- [www.roadsni.gov.uk/index/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications-council_reports.htm). Alternatively, a hard copy of this and previous reports can be provided on request by contacting the Acting Divisional Roads Manager for Southern Division, Mr Bertie Ellison, on telephone number 3832 0250.

NI Water has advised that there were a number of out-of-sewer flooding events in the Craigavon and Banbridge Council areas during the extreme weather events of June 2007 and August 2008. As a result, the design capacity of the drainage network was exceeded and in some places totally overwhelmed. Sewerage systems are not designed to cope with rainfall of this intensity and while NI Water continues to monitor and improve its network, to reduce the risk of future flooding, it must be recognised that it is not possible to guarantee that such flooding will not recur in similar weather conditions.

However, NI Water will continue to liaise with other agencies to identify known flooding "Hot Spots" to agree a lead agency with responsibility for each.

In addition, Michelle Gildernew, my Ministerial colleague with responsibility for the Department for Agriculture and Rural Development's (DARD) Rivers Agency, has advised that Rivers Agency's primary concern is to reduce the risk to life and property from flooding emanating from watercourses. However, it is possible where feasibility studies have shown a flood alleviation scheme to be viable, that roads in the area will also benefit from the flood risk alleviation.

Rivers Agency completed a scheme, in August 2008, on the Belmont Stream, Banbridge. Furthermore, during the extreme flooding event of August 2008, a number of other locations in the Craigavon Borough and Banbridge District Council areas were threatened with or experienced flooding. Where this flooding was identified as originating from a watercourse, Rivers Agency has a number of studies ongoing, ranging from initial investigations to design of works to be carried out, to reduce the risk of future flooding.

### **Craigavon Borough Council and Banbridge District Council: Car Parking Facilities**

**Mr Gardiner** asked the Minister for Regional Development what increased facilities for off-street and on-street car parking have been provided by his Department in the Craigavon Borough and Banbridge District Council areas, in each of the last three years; and what plans he has to increase car parking in those areas in the next three years. (AQW 8222/09)

**The Minister for Regional Development:** I can advise the Member that, in line with the recently adopted Sub Regional Transport Plan, parking strategies were developed for all of the 29 major towns and cities contained therein. The overriding parking strategy within the Plan is to encourage the availability and turn-over of convenient short stay spaces in the town centres, which is achieved through on-street enforcement and appropriate charging off-street. The ultimate aims of the strategy are to encourage a shift to more sustainable transport modes, reduce congestion, improve accessibility and promote economic vitality in town centres to the benefit of all in the area.

In relation to off-street parking, following the resurfacing of Commercial Road car park in Banbridge, an additional 5 spaces were provided by amending the layout and 6 Park and Share spaces have been provided at the Gowdystown Road junction with the A1. Consideration is also being given to improving park and ride/share facilities, both at Rathfriland Road, Banbridge (60 spaces), and in Wesley Place Car Park, Lurgan (60 spaces), subject to the completion of the appropriate planning process and the availability of lands and finance.

With regard to the provision of on-street parking, you will appreciate that within existing urban areas there is limited opportunity to provide additional spaces. However, my Department's Roads Service reviews, at a local level, the nature and extent of existing waiting restrictions and where appropriate amends these.

This has resulted in the relaxation of existing restrictions that has provided approximately 61 on-street spaces in the Craigavon Council area, and 3 in the Banbridge Council area. Subject to the satisfactory outcome of the statutory process, alterations to on-street waiting restrictions are proposed that would result in approximately 38 additional spaces on Carrickblacker Road, Portadown and 10 spaces on Anderson Street, Banbridge. The review of waiting restrictions will continue and any opportunities to provide additional parking will be investigated.

### **Craigavon Borough Council and Banbridge District Council: Rural Public Transport**

**Mr Gardiner** asked the Minister for Regional Development what additional provision his Department has made for access to rural public transport in the Craigavon Borough and Banbridge District Council areas, in each of the last three years. (AQW 8223/09)

**The Minister for Regional Development:** My Department provides funding to Translink to deliver stage carriage services throughout the North. In addition, the Department provides support for rural public transport through the Rural Transport Fund. This support allows Translink to provide rural services which would otherwise be uneconomic to operate and also allows Down & Armagh Rural Community Transport Partnership (DART) which operates in the two Council areas to offer a range of specialised transport services to its members. The level of support from the Rural Transport Fund to Translink in the two Council areas and to DART in the last three years is detailed in the table below.

DRD Funding made to:	DART	Translink
2006/2007	£ 82,275.00	£ 14,359.93
2007/2008	£ 86,651.00	£ 14,584.24
2008/2009	£ 91,535.00	£ 14,357.78
<b>Totals</b>	<b>£ 260,461.00</b>	<b>£ 43,301.95</b>

### **Lisheeghan Road, Ballymoney**

**Mr McKay** asked the Minister for Regional Development to detail (i) what work has been carried out by Roads Service to Lisheeghan Road, Ballymoney; and (ii) the cost of this work, in each of the last 5 years. (AQW 8242/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the Lisheeghan Road is a very lightly trafficked unclassified road and constructed over bog land.

Roads Service has carried out the following works on the Lisheeghan Road over the past 5 years:-

2004/2005 - routine road patching;

2005/2006 - carriageway resurfacing at eastern end, and routine road patching;

2006/2007 - surface dressing and patching;

2007/2008 - routine road patching;

2008/2009 - new road drainage and routine road patching.

As financial expenditure is not held on an individual route basis, I am unable to advise of the cost of completing these works.

### **Safety to Users of School Buses and HGV Lorries**

**Mr P J Bradley** asked the Minister for Regional Development for his assessment of the safety to users of school buses and HGV lorries that travel along the Derrylecka Road, outside Newry. (AQW 8256/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it is not aware of any specific safety issues for road users on the Derryleckagh Road. However, Roads Service would be willing to investigate any matters which are giving cause for concern.

### **Upper Damolly Road**

**Mr P J Bradley** asked the Minister for Regional Development what plans he has to upgrade the Upper Damolly Road, Newry (AQW 8257/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that general upgrading of the Upper Damolly Road has taken place over several years to accommodate ongoing residential development.

Roads Service has presently no further plans for improvements to the Upper Damolly Road.

### **Translink**

**Mr G Robinson** asked the Minister for Regional Development what action he is taking to ensure that there are no compulsory job losses at Translink. (AQW 8278/09)

**The Minister for Regional Development:** Translink has advised me that the voluntary redundancy process is almost complete. The majority of those to leave on a voluntary basis have left the organisation on 29 May with the remainder leaving over the next few months.

The number of job losses is in line with my announcement on 18 March. Translink have not indicated that there will be a need for compulsory redundancies.

### **Translink**

**Mr G Robinson** asked the Minister for Regional Development (i) how many meetings he has had with Translink management to discuss possible job losses; and (ii) to detail the outcome of those meetings. (AQW 8282/09)

**The Minister for Regional Development:** My officials have been in regular contact with Translink Management about possible job losses. I myself met with Translink Trade Union representatives and made a subsequent announcement on 18 March which referred to the Translink plans. My officials subsequently informed Translink of my views on the Corporate and Business plans. Translink has advised me that the voluntary redundancy process is almost complete and that there will be no need for compulsory redundancies. This is in line with my agreement to the Corporate/Business plan submitted by Translink.

### Vehicles Damaged by Potholes

**Mr Gardiner** asked the Minister for Regional Development for each of the last five years (i) how many compensation claims have been received by his Department; and (ii) how much money has been paid out to the owners of vehicles damaged by potholes and rutted surfaces in the Upper Bann constituency, broken down by Roads Service section office area. (AQW 8296/09)

**The Minister for Regional Development:** The area of the Upper Bann constituency extends over two Roads Service Section Offices. It includes all of the Craigavon Section Office and part of the Banbridge Section Office.

The following figures show the number of compensation claims received and the amounts of compensation paid by my Department's Central Claims Unit for each of the last five financial years in respect of damage to motor vehicles caused by potholes and rutted surfaces for the whole of the two Section Offices, Craigavon and Banbridge.

	No.of Claims Received	Compensation Paid
<b>2008/09</b>		
Craigavon Section Office	26	£3,437.49
Banbridge Section Office	42	£1,271.38
<b>Total</b>	<b>68</b>	<b>£4,708.87</b>
<b>2007/08</b>		
Craigavon Section Office	61	£3,705.89
Banbridge Section Office	17	£1,851.74
<b>Total</b>	<b>78</b>	<b>£5,557.63</b>
<b>2006/07</b>		
Craigavon Section Office	58	£2,848.24
Banbridge Section Office	28	£2,920.42
<b>Total</b>	<b>86</b>	<b>£5,768.66</b>
<b>2005/06</b>		
Craigavon Section Office	35	£960.61
Banbridge Section Office	26	£2,416.91
<b>Total</b>	<b>61</b>	<b>£3,377.52</b>
<b>2005/06</b>		
Craigavon Section Office	20	£4,034.56
Banbridge Section Office	24	£2,768.57
<b>Total</b>	<b>44</b>	<b>£6,803.13</b>

### Sprucefield Bypass

**Mr Poots** asked the Minister for Regional Development to provide an update on the proposed Eastern Seaboard Corridor M1/A1 Sprucefield By-Pass; and a timescale for work to begin. (AQW 8308/09)



**The Minister for Regional Development:** My Department's Roads Service recently commissioned consultants to develop proposals for the M1 / A1 Sprucefield Bypass scheme. The commission requires the consideration of a range of options for an enhancement to the capacity of this route. Any detailed road improvement proposals developed for the route will take account of proposed future development in the area and will be subject to public scrutiny through the normal statutory processes.

It is anticipated that this scheme, which is included in Roads Service's 10 year Forward Planning Schedule, could be delivered between 2014 and 2018, subject to the satisfactory completion of statutory procedures and availability of finance.

### **Dromore Road/A1 Flyover**

**Mr Savage** asked the Minister for Regional Development to outline the reasons for the delay in opening the Dromore Road/A1 flyover, Banbridge; and when the flyover is expected to be open. (AQW 8327/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the improvement of four junctions on the A1 between Banbridge and Hillsborough is progressing well ahead of programme.

However, works arising out of a safety audit, and other snagging surveys, undertaken by both the Construction Contractor and Roads Service, still have to be completed to ensure the satisfactory handing over of the new bridge and link road on the A1 Dromore Road, Banbridge.

I can advise the Member that, as an interim measure, traffic travelling south-bound on the A1 can now leave the main carriageway and use the flyover in one direction into Banbridge, under temporary traffic management arrangements.

### **Road Surfaces**

**Mr McNarry** asked Minister for Regional Development for his assessment of the reinstatement of road surfaces by utilities and others. (AQW 8353/09)

**The Minister for Regional Development:** As you may be aware, utilities have a statutory right to open roads and footpaths for the purpose of installing and maintaining their equipment. My Department's Roads Service cannot control the number of such openings, but it does regulate the process. A Code of Practice sets out a specification for the reinstatement of openings in roads – prescribing the materials to be used and standards of workmanship. Roads Service officials inspect and monitor street works on a sample basis, to ensure that utilities' work is compliant.

In a recent report, the Audit Office acknowledged significant improvements in my Department's management of road openings by utilities and in the performance of the utilities in reinstating road surfaces. However, more work needs to be done to improve performance.

To this end, Roads Service is aiming to strengthen regulations to empower it to require utilities to resurface the road to a greater extent than is currently necessary. Alternatively, Roads Service could carry out resurfacing and then obtain a contribution towards the cost from the utility/utilities that executed street works and contributed to the poor condition of the road.

These regulations would form part of the suite of regulations proposed for Street Works in the North, over the coming years. Other regulations could include, the introduction of a Permit Scheme for Street Works, greater powers of direction for Roads Service and Fixed Penalty Notices for certain breaches of the legislation. Roads Service has already introduced increases in fines for certain Street Works offences, from October 2007.

The number of road openings by private developers and others is rather small by comparison. They are usually carried out under either the Private Streets (NI) 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, my Department's Roads Service has no supervisory role as to the way this work is carried out, other than to ensure 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 its costs.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Social Dwellings

**Mr Butler** asked the Minister for Social Development how many social dwellings have (i) wood pellet boilers; (ii) solar panels; and (iii) condensing boilers. (AQW 8150/09)

**The Minister for Social Development (Ms Ritchie):** Currently 24 social dwellings have wood pellet boilers, 2447 have solar panels and 9076 have condensing boilers.

### Employment and Support Allowance

**Mr Shannon** asked the Minister for Social Development if she would consider changing the use of a courier service for Employment and Support Allowance applications, to allow responses to be sent to Social Security Offices more quickly. (AQW 8218/09)

**The Minister for Social Development:** The courier services for my Department are provided by the Department of Finance and Personnel (DFP). Any changes to the existing courier services would therefore have to be considered by DFP.

In using these services the ESA Centre ensures that documents are moved as quickly as possible to the appropriate site. Documents relating to a claim for ESA, which are handed into a Social Security Office/Jobs & Benefits Office, are forwarded directly to the ESA Centre. This ensures that documents are collected, sorted and normally delivered within 2 working days.

The outcome of the application or requests for further information is notified to the customer in writing. At no stage is any contact made with the applicant using the courier.

### Voluntary Sector: Government Relations with

**Ms Lo** asked the Minister for Social Development for an update on the proposed policy paper on defining government relations with the voluntary sector. (AQW 8241/09)

**The Minister for Social Development:** Work has begun within my Department to develop the new framework for relationships between Government and the voluntary and community sector. My intention is to take this new framework to the Executive in late 2009.

### Social Housing Units

**Ms Ní Chuilín** asked the Minister for Social Development how many new Social Housing Units will be allocated to (i) North Belfast; (ii) West Belfast; and (iii) Derry. (AQW 8244/09)

**The Minister for Social Development:** The Social Housing Development Programme is still being finalised and will be published shortly. Details will be posted in the Assembly library and on [www.nihe.gov.uk](http://www.nihe.gov.uk) in due course.

### Social Housing

**Mr Savage** asked the Minister for Social Development to outline her plans to build social housing (i) this year; and (ii) in the next two years. (AQW 8291/09)

**The Minister for Social Development:** The Social Housing Development Programme is still being finalised and will be published shortly. Details will be posted in the Assembly library and on [www.nihe.gov.uk](http://www.nihe.gov.uk) in due course.

### Social Security Offices

**Mr Gardiner** asked the Minister for Social Development for a breakdown of customers using (i) Lurgan; (ii) Banbridge; and (iii) Portadown Social Security Offices, (a) whose first language is not English; (b) who have a disability; and (c) how these compare with the average across all other Social Security and Jobs and Benefits Offices. (AQW 8304/09)

**The Minister for Social Development:** The information requested is not recorded and is not therefore available. Customers whose first language is not English and need assistance are offered interpreting or translation services. Similarly customers with a disability are offered appropriate help commensurate with their individual needs.

### Charities Act (Northern Ireland) 2008

**Mr Burns** asked the Minister for Social Development to detail the circumstances under which a small charity is exempt from holding formally audited accounts under the Charities Act (Northern Ireland) 2008. (AQW 8342/09)

**The Minister for Social Development:** Under Part 8 the Charities Act (NI) 2008, all charities are required to prepare and submit an annual statement of accounts. Small charities with a gross annual income below £100,000 are only required to produce a receipts and payments account along with a statement of assets and liabilities. These must be signed off by an independent person and the charity is required to preserve these accounts for a period of six years.

All accounts will be posted on the Charity Commission for Northern Ireland's website. It is envisaged that the first annual accounts will not be required until April 2011.

### Loughview Estate, Holywood

**Mr Easton** asked the Minister for Social Development when the flats at West Green in the Loughview Estate, Holywood will be demolished. (AQW 8345/09)

**The Minister for Social Development:** A decision has not yet been reached as to whether the flats in West Green should be demolished. The Housing Executive are currently preparing an Economic Appraisal which will fully assess and cost each of the options available. These will then be submitted to my Department for consideration. I expect this will take place by the end of the Summer.





## NORTHERN IRELAND ASSEMBLY

Friday 26 June 2009

### Written Answers to Questions

#### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

##### Single Equality Bill

**Mrs D Kelly** asked the Office of the First Minister and deputy First Minister how many staff are currently working on the Single Equality Bill. (AQW 7774/09)

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We continue to legislate in order to provide legal protection against discrimination and to promote equality of opportunity. As no policy decisions have been taken with regard to a single Equality Bill, there are no staff currently dedicated to working on such a Bill.

##### Commissioner for Older People

**Mr K Robinson** asked the Office of the First Minister and deputy First Minister when the Commissioner for Older People will be established. (AQW 8174/09)

**The First Minister and deputy First Minister:** In order to appoint a Commissioner for Older People we need to bring forward primary legislation.

It is our intention to consult with the OFMDFM Committee and Executive prior to issuing policy proposals together with a draft Bill for public consultation in autumn 2009.

After careful consideration of all the consultation responses, we will seek the agreement of the Executive to introduce the Bill. Once the Bill has completed the various stages within the legislative process, a Commissioner can be appointed and an office established.

##### Link Family and Community Centre, Newtownards

**Mr McNarry** asked the Office of the First Minister and deputy First Minister for an update on local concerns raised with the Community Relations Council (CRC) about a successful application to the International Fund for Ireland for funding for the Link Family and Community Centre, Newtownards. (AQW 8310/09)

**The First Minister and deputy First Minister:** In all aspects of this matter the Northern Ireland Community Relations Council was acting as the agent of the International Fund for Ireland. The International Fund for Ireland is an independent international body and your question should be directed to the Chairman of the Fund – Mr Denis Rooney, Chairman, International Fund for Ireland, PO Box 2000, Belfast, BT4 1WD.

##### Child Poverty

**Mr Gardiner** asked the First Minister and deputy First Minister to detail the levels of child poverty present in all constituencies for the past three years. (AQW 8347/09)

**The First Minister and deputy First Minister:** The table below details Northern Ireland child poverty rates based on the relative poverty measure, by parliamentary constituency, for the period 2004/05 to 2006/07.

**CHILD POVERTY RATES BY PARLIAMENTARY CONSTITUENCY, 2004/05 - 2006/07**

Parliamentary Constituency	% of Children In Poverty	Confidence Interval	
Belfast East	13%	+/-	8%
Belfast North	34%	+/-	14%
Belfast South	9%	+/-	8%
Belfast West	34%	+/-	11%
East Antrim	23%	+/-	10%
East Londonderry	25%	+/-	10%
Fermanagh and South Tyrone	33%	+/-	11%
Foyle	33%	+/-	8%
Lagan Valley	12%	+/-	7%
Mid Ulster	30%	+/-	10%
Newry and Armagh	25%	+/-	8%
North Antrim	21%	+/-	7%
North Down	22%	+/-	10%
South Antrim	18%	+/-	7%
South Down	28%	+/-	9%
Strangford	25%	+/-	10%
Upper Bann	24%	+/-	10%
West Tyrone	17%	+/-	7%
<b>Total</b>	<b>24%</b>	<b>+/-</b>	<b>2%</b>

**Source:** Households Below Average Income, NI  
2004/05, 2005/06, 2006/07 combined

The data source for these figures is the Family Resources Survey for Northern Ireland which is a sample survey of the population and reported on in the Department for Social Development produced annual Households Below Average Income, NI reports. Relative child poverty refers to children living in households whose income is below 60% of the UK median equivalised household income on a before housing cost basis. To generate enough cases in the data to enable the parliamentary constituency analysis to be conducted, it was necessary to combine the data over the three-year period between 2004/05 and 2006/07. The 2007/08 figures have not yet been published; it is expected they will be available in late 2009.

All figures produced from the Family Resources Survey have associated confidence intervals within which the actual population figure will be. In Belfast East, 13% of children experience poverty although, taking the relevant confidence intervals into account, the 'true' figure will lie between 5% and 21%. Given that the confidence intervals around the child poverty rates for each parliamentary constituency are relatively large, these child poverty rates should be viewed as broad indicators of difference between parliamentary constituencies given that the figures are not precise enough to calculate difference between them with a high degree of certainty.

### Legislative Measures

**Mr Gardiner** asked the First Minister and deputy First Minister to list all legislative measures they intend to bring before the Assembly in 2009 and 2010. (AQW 8348/09)

**The First Minister and deputy First Minister:** We are currently developing proposals to bring forward the primary legislation required to establish the office of Commissioner for Older People and a new Victims

and Survivors' Service. Other legislative requirements may arise, including subordinate legislation, and these will be brought forward as appropriate in consultation with the OFMDFM Committee and with the Executive's agreement.

### Civil Service

**Mr McGlone** asked the First Minister and deputy First Minister to outline the procedures and oversight mechanisms in place for the Head of the Civil Service to ensure the consistent and efficient management of all Departments. (AQW 8392/09)

**The First Minister and deputy First Minister:** Permanent Secretaries in their role as Accounting Officers, and acting within the authority of Ministers to whom they are responsible, are responsible for ensuring the economical and efficient management of their respective Departments. The Head of the Civil Service assesses the performance of Permanent Secretaries as part of the annual performance management process.

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

### Slurry Neutralization

**Mr Dallat** asked the Minister of Agriculture and Rural Development to outline her plans for addressing slurry neutralization. (AQW 8272/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** I currently have no plans to address slurry neutralization through the use of additives to reduce odour when slurry is spread. However, my Department is implementing a series of actions to improve slurry management and promote best practice which contribute to reducing odour from slurry spreading operations.

The use of advanced slurry spreading systems, such as trailing-shoe, is being promoted based on research at the Agri Food and Biosciences Institute (AFBI). The College of Agriculture Food and Rural Enterprise (CAFRE) has organised Slurry Efficiency workshops for farmers which focused on trailing-shoe technology. This research and technology transfer is complemented by capital grant support for advanced slurry spreaders which is available through the Manure Efficiency and Technology Sub Programme (METS) of the Farm Modernisation Programme.

Advanced slurry spreading systems such as trailing-shoe technology help to reduce odour. They also offer significant additional benefits including greater nutrient efficiency from slurry, reduced gaseous emissions and increased flexibility in spreading practice.

Comprehensive advice on best practice and statutory requirements relating to slurry management, including minimising odour, is provided in my Department's Code of Good Agricultural Practice.

Anaerobic digestion of slurry results in a reduction of slurry odour when the digestate is spread. Research by AFBI on anaerobic digestion is ongoing at the Renewable Energy Centre of Excellence, Hillsborough. Future uptake of anaerobic digestion technology would contribute to reducing odour from slurry management in addition to other potential benefits including renewable energy, reduced greenhouse gas emissions and improved nitrogen efficiency.

### Review of Inshore Fisheries Stakeholder Advisory Group

**Mr McCallister** asked the Minister of Agriculture and Rural Development what plans her Department has to implement the recommendations of the 2007 Review of Inshore Fisheries Stakeholder Advisory Group and to outline the time-scale involved. (AQW 8415/09)

**The Minister of Agriculture and Rural Development:** My Department will issue a formal response to the review of the Stakeholder Advisory Group's (SAG) Report on inshore fisheries to state what actions it has taken and proposes to take to address specific recommendations in the Report. This will be issued to the members of the SAG by 30th June 2009.

I have asked the Fisheries Forum to consider the need for an inshore fisheries strategy taking account of the recommendations of the Stakeholder Report, the actions taken since the report was published and the potential impact on inshore fisheries of pressures facing the off shore fleet. I expect to receive the Fisheries Forum report in early autumn and I will consider carefully its recommendations and the resourcing of the way forward.

### **Bee Health Strategy**

**Mr Cree** asked the Minister of Agriculture and Rural Development what are (i) the differences between the Contingency Plan for Exotic Pests and Diseases of Honey Bees and the proposed Bee Health Strategy; and (ii) the different areas they will each cover. (AQW 8540/09)

**The Minister of Agriculture and Rural Development:**

- (i) While the Contingency Plan for Exotic Pests and Diseases is specifically concerned with DARD's plan of action in the case of the introduction of a new, non-native (hence 'exotic') threat to honeybees, the Bee Health Strategy will be a wide ranging strategic approach to support bee health here.
- (ii) The Contingency Plan covers the potential threats posed by the Small Hive Beetle and the four species of the Tropilaelaps mite. It is envisaged that the Bee Health Strategy will address issues such as: challenges facing honeybee health here; DARD support to the sector; research; and the roles of all stakeholders. The strategy will also likely have a North/South dimension.

The strategy will be subject to consultation in due course

## **DEPARTMENT OF CULTURE, ARTS AND LEISURE**

### **Child Protection Policies**

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure what services are available, from his Department or its agencies, to sporting associations and clubs to assist them in developing child protection policies and education within their organisations. (AQW 8297/09)

**The Minister of Culture, Arts and Leisure (Mr Campbell):** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including providing advice to sporting associations and clubs on sport and physical recreation matters. SNI has entered into partnership with the National Society for the Prevention of Cruelty to Children's (NSPCC) Child Protection in Sport Unit. Through this arrangement SNI provides a number of services to sporting associations, sports governing bodies and clubs. These include:-

- Child protection awareness and designated officer training courses
- Direct child protection training
- Advisory services
- Auditing services

### **Languages: Departmental Spend on**

**Mr Ford** asked the Minister of Culture, Arts and Leisure how much his Department will spend on (i) the Irish language; (ii) Ulster Scots; and (iii) British and Irish Sign Language over the next three years. (AQW 8309/09)

**The Minister of Culture, Arts and Leisure:** Current opening position for my Department's spend on Irish, Ulster Scots and Sign Language is as follows:



		2009-2010	2010-2011	Totals
Irish	Gaeltacht Quarter	£133,000	£133,000	£4,548,000
	Foras na Gaeilge	£4,282,000	N/A	
Ulster-Scots	Ulster-Scots Academy	£4,295,000	£2,738,000	£9,688,000
	Ulster-Scots Agency	£2,655,000	N/A	
Sign	Sign Language	£100,000	£100,000	£200,000

2010/2011 figures are currently not available for the Ulster-Scots Agency and Foras na Gaeilge as indicative budgets for 2010/11 have not yet been approved.

We are unable to provide anticipated spend for Irish, Ulster Scots and Sign Language for 2011/2012, as this is outside the current Comprehensive Spending Review period and will be subject to the next Spending Review bidding process.

### Sports Clubs

**Mr Ross** asked the Minister of Culture, Arts and Leisure to detail (i) the amount of money available for sports clubs to run summer courses for children; and (ii) where this money has been allocated. (AQW 8390/09)

**The Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the provision of funding. SNI does not currently provide funding to sports clubs specifically to run summer courses for children. However, it is currently developing two new programmes, Awards for Sport and an Active Communities Programme, from which assistance in this area may be obtained. It is envisaged Awards for Sport will be launched in September 2009 providing grants from £1,000 to £10,000. The budget for the first year of the programme will be £250,000. Thereafter, £500,000 will be available per annum.

The Active Communities Programme proposed by SNI would be a five year investment programme designed to employ, deploy and train a network of full time and part time sports coaches and leaders to deliver activities in community and club settings. This programme is at formal approval stage.

### Sports Clubs

**Mr Ross** asked the Minister of Culture, Arts and Leisure how much money is available to sports clubs to assist them in buying new equipment, especially for children. (AQW 8391/09)

**The Minister of Culture, Arts and Leisure:** Sport Northern Ireland (SNI) is responsible for the development of sport in Northern Ireland including the provision of funding. SNI is currently developing a new small grants programme, Awards for Sport, which will make funding available to sports clubs to assist them in buying new equipment. It is envisaged the programme will be launched in September 2009 providing grants from £1,000 to £10,000. The budget for the first year of the programme will be £250,000. Thereafter, £500,000 will be available per annum.

Another SNI programme, Places for Sport, is due to be launched on 6 July 2009. This will provide grants from £10,000 and upwards for larger pieces of equipment.

### Irish Language

**Mr Butler** asked the Minister of Culture, Arts and Leisure how many Irish language or bi-lingual publications have been produced by his Department in the last two years. (AQW 8453/09)

**The Minister of Culture, Arts and Leisure:** My Department has not produced any Irish language or bilingual Irish-English publications in the last two years.

## Marine Issues

**Mr Durkan** asked the Minister of Culture, Arts and Leisure if he will provide details of (i) the number of staff, and their relevant grade, in his Department who have responsibility for marine issues, and (ii) the annual total cost of marine-specific work to the Department. (AQW 8493/09)

**The Minister of Culture, Arts and Leisure:** My Department is not responsible for marine issues. However, DCAL is responsible for conservation and protection of salmon and eels which are migratory fish which live in both freshwater and the ocean.

A DCAL official at Grade 7 level sits on the DoE Marine Bill Steering Group to represent DCAL's interests in the development of policy and legislation to implement the Bill in Northern Ireland. DCAL has no financial commitments under this legislation at this stage.

DCAL operates a patrol boat off the North Coast of Northern Ireland to help prevent and detect illegal fishing for salmon in the sea. The boat is operated by two Fisheries Protection Officers. The boat's running costs in 2008 totalled £3,454.54.

## Windsor Park

**Lord Browne** asked the Minister of Culture, Arts and Leisure what safety improvements have taken place, or will be in place, at Windsor Park before the commencement of the 2009/10 soccer season. (AQW 8529/09)

**The Minister of Culture, Arts and Leisure:** Responsibility for making safety improvements at Windsor Park rests with Linfield Football Club and the Irish Football Association (IFA). However, I have recently agreed that some remedial work at the ground should be undertaken. Sport Northern Ireland will be engaging with Linfield FC and the IFA to take this work forward as a high priority with the aim of having the work completed by September 2009.

## Ulster-Scots Academy

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure (a) how much money was originally designated for the Ulster-Scots Academy (b) how much of that money was spent and how it was spent (c) and how much of that money has been surrendered to date to the Department of Finance and Personnel. (AQW 8537/09)

**The Minister of Culture, Arts and Leisure:**

- (a) £12m was originally designated for the Ulster-Scots Academy.
- (b) Expenditure towards the Ulster-Scots Academy, used to fund the Ulster-Scots Academy Implementation Group (USAIG), was as follows:

05/06:	£134,413.00
06/07:	£392,412.29
07/08:	£405,189.44
08/09:	£289,157.63
09/10 (year to date):	£300.00
<b>Total</b>	<b>£1,222,472.36</b>

The USAIG was tasked with making recommendations for the establishment of an Ulster-Scots Academy as well as progressing activities on an education programme and a language development programme. Projects in respect of the latter include a tape-recorded survey of native speakers, a textbase of Ulster-Scots literature, a bilingual Ulster-Scots to English dictionary, and a Bible translation.

- (c) £5,965,000 has been surrendered from the Ulster-Scots Academy Budget. It is my intention that this money will, however, be spent in future when an Ulster-Scots Academy has been established in accordance with good governance and best practice guidelines. Work on the Academy has been and is being undertaken with this in mind.

## DEPARTMENT OF EDUCATION

### Bonuses Paid to Permanent Secretary

**Mr McGlone** asked the Minister of Education how much was paid in bonuses to the Department's Permanent Secretary, in each of the last five years. (AQW 8126/09)

**The Minister of Education (Ms Ruane):** Combined salary and bonus information for the Permanent Secretary of the Department of Education is currently provided through Resource Accounts in £5k bands, available from the Department's website.

Tá fearg forleathan ar mhuintir an phobail mar gheall ar na bó nais atá á n-ioc chuig fostaithe sa tseirbhís phoiblí a bhfaigheann ioncaim substaintiúla cheana féin. Mar Aire, tá mé buartha faoi seo fosta agus tá mé ag iarraidh go ndéanfar athbhreithniú ar an cheist.

There is widespread public anger at the large bonuses being paid to public servants who are already in receipt of substantial incomes. As Minister I share this concern and want a review to be undertaken on the matter.

### Epilepsy

**Mr G Robinson** asked the Minister of Education to outline what improvements she plans to introduce within the education system to ensure that pupils with epilepsy achieve their full educational potential. (AQW 8239/09)

**The Minister of Education:** Tá creatlach riachtanas speisialta oideachais ag an Roinn Oideachais (DE) a leagann amach go soiléir na dualgais reachtúla a bhíonn ar scoileanna agus ar Bhoird Oideachais agus Leabharlainne (ELBanna) le páistí a bhfuil riachtanais speisialta oideachais (SEN) acu a aithint, a mheasúnú agus soláthar speisialta oideachais a dhéanamh le freastal ar a riachtanais i gcásanna nuair is cuí.

The Department of Education (DE) has in place a special educational needs framework setting out clear statutory duties on schools and Education and Library Boards (ELBs) to identify, assess and in appropriate cases make special educational provision to meet the needs of children with special educational needs (SEN). The framework applies to support for all children with SEN, including those diagnosed with epilepsy. In addition DE issued a Code of Practice on the Identification and Assessment of Special Educational needs in 1998 to provide detailed guidance to schools and ELBs 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.

As the diagnosis of children with epilepsy is the responsibility of the Department of Health and Social Services and Public Safety, Education and Library Boards (ELBs) rely on co-operation from health professionals in this area. In addition ELBs work directly with their local Health and Social Care Trust (HSCT) on an ongoing basis to ensure that the specific needs of children with epilepsy are met to maximise their educational potential. Many special schools have school nurses provided by their HSCT to support the medical needs of those children with more complex epilepsy and a recent improvement in services has seen most ELBs appoint Health Care Assistants, who are jointly funded by ELBs and HSCTs, to work with children with more complex medical needs, including those with epilepsy.

As advised in my response to your recent AQW 7908/09 the Chief Executives of the ELBs have advised that while there is no specific training offered to teachers dealing with epilepsy, schools can request training from the ELBs when a particular special need, including epilepsy, is identified for specific pupils. When a request for training is made the ELB would secure this from the most appropriate provider which in the case of epilepsy would most likely be the local HSCT. This ensures that the training delivered is appropriate to the needs of the individual child. The medical and education needs of children with epilepsy will vary greatly from child to child depending upon their individual circumstances, the severity and nature of the epilepsy and their assessed special educational needs.

Furthermore, following the issue of the Department of Education's document "Supporting Pupils with Medication Needs" in 2008, a training programme for school principals was offered to all schools to ensure that all pupils with medication needs, including epilepsy, could have their needs met in schools.

### Schools' Three Year Financial Plans

**Mr O'Dowd** asked the Minister of Education, pursuant to AQW 7396/09, to detail (i) those schools that her Department required to produce a three year financial plan, setting out how they intended to reduce the surpluses and deficits greater than 5% of their annual delegated budget to within acceptable limits; and (ii) what deficits those schools had, whether over or under the 5% limit. (AQW 8267/09)

**The Minister of Education:** Is í an bhliain airgeadais is déanaí dá bhfuil eolas ar fáil do scoileanna deonacha gramadaí ná 2007/2008. Mionsonraítear in Iarscríbhinn 3 liosta de na scoileanna deonacha gramadaí a n-éiligh mo Roinn orthu pleananna trí bliana a sholáthar.

The latest financial year for which this information is currently available for the voluntary grammar schools is 2007/08. The list of voluntary grammar schools that my Department has required to produce 3 year plans is detailed at Annex A.

There are 18 voluntary grammar schools which have reported a surplus in excess of 5% of the available delegated budget at the end of the 2007/08 financial year. All of these schools have provided the requisite 3 year plans.

These plans detail reasons for the accumulated surpluses, for example, budgeting for planned expenditure programmes (ICT equipment, maintenance programmes); contingency planning for unforeseen expenditure costs (eg older buildings requiring emergency maintenance); or lower than forecast maintenance requirements, for example newbuilds starting later than planned.

These plans also include details of planned expenditure in order to bring surpluses within acceptable limits, for example, employment of technical/teaching staff; purchase of equipment; planned maintenance programmes; or forecast changes to salary profiles.

To date, I have met with voluntary grammar schools from the Southern, South Eastern, Belfast and the Western Education and Library Board areas and have a further meeting planned with voluntary grammar schools in the North Eastern Education and Library Board area on 29 June. Key issues on the agenda for all of these meetings have been financial and non-financial accountability (including effective management of surpluses and deficits); raising educational standards; and equality issues. I have emphasised to all at these meetings the importance of managing surpluses and ensuring that the money goes to the frontline for the benefit of all of the children in the school at that time.

In relation to deficits, I would wish to draw your attention to the response provided to AQW 7396/09 in which I advised that analysis has confirmed that no voluntary grammar schools overspent or operated a cumulative financial deficit during the 2007/2008 financial year when taking into account the balances of their public and non-public school funds.

#### ANNEX A

##### VOLUNTARY GRAMMAR SCHOOLS – SURPLUSES AS AT 31 MARCH 2008

	Accum Surpluses 2007/08 £	As % of Delegated Budget 2007/08
St Mary's CBS	288,840	6.22%
Methodist College	950,487	13.10%
Rathmore Grammar	1,069,587	20.79%
Mount Lourdes Grammar School	919,110	25.50%
Portora Royal School, Enniskillen	201,584	9.49%
Omagh, Loreto Grammar	213,688	5.55%
Ballymena Academy	280,336	5.84%
Rainey Endowed, Magherafelt	282,891	9.75%
Dominican College, Portstewart	183,930	9.04%
Bangor Grammar School	279,545	7.68%
Assumption Grammar, Ballynahinch	554,392	15.08%



	Accum Surpluses 2007/08 £	As % of Delegated Budget 2007/08
St Patrick's Grammar, Downpatrick	187,883	6.36%
Our Lady & St Patrick's Grammar	514,500	10.35%
St Louis' Grammar, Kilkeel	243,251	10.32%
St Colman's College, Newry	507,331	14.11%
Sacred Heart Grammar, Newry	505,994	14.53%
Royal School, Dungannon	144,798	5.54%
St Patrick's Academy, Dungannon	501,089	8.10%

### Voluntary Grammar Schools

**Mr O'Dowd** asked the Minister of Education, pursuant to AQW 7246/09, how much money was received by each school under non public funds as listed on the statement of accounts form S40, in the last financial year.  
(AQW 8268/09)

**The Minister of Education:** Is í an bhliain airgeadais is déanaí dá bhfuil eolas ar fáil do scoileanna deonacha gramadaí ná 2007/2008. Tá an t-eolas a iarradh sa tábla thíos.

The latest financial year for which this information is currently available for the voluntary grammar schools is 2007/08. The information requested is provided in the table below.

#### VOLUNTARY GRAMMAR SCHOOL SECTOR - 2007/2008 NON-PUBLIC FUNDS

	£
Bloomfield Collegiate (i)	273,542
Campbell College (i) (ii)	2,180,666
St Mary's CBS, Belfast	18,108
Methodist College, Belfast (i) (ii)	3,831,220
RBAI (i)	632,352
BRA (i)	718,102
St Dominic's High, Belfast	42,234
St Malachy's, Belfast	108,509
Dominican College, Belfast	33,191
Strathearn Grammar, Belfast (i)	528,063
Rathmore Grammar, Belfast	102,265
Victoria College, Belfast (i) (ii)	1,202,003
Hunterhouse College, Belfast	306,714
Aquinas Grammar, Belfast	23,736
Mount Lourdes Grammar, Enniskillen	43,643
Portora Royal, Enniskillen	131,754
St Michael's Grammar, Enniskillen	16,008
Thornhill College, Derry	75,354
St Columb's College, Derry	73,327
Omagh CBS	134,481

	£
Omagh, Loreto Grammar	78,377
Foyle & Londonderry College	204,176
Lumen Christi College, Derry	28,270
St Louis' Grammar, Ballymena	67,546
Ballymena Academy	245,847
Dalriada School, Ballymoney (i)	387,974
Coleraine Academical Institute	242,972
Loreto Convent Grammar, Coleraine	118,988
Larne Grammar School	116,401
Rainey Endowed, Magherafelt	159,343
Dominican College, Portstewart	38,987
Belfast High School	199,722
St Mary's Grammar, Magherafelt	48,305
St Macnissi's College, Garron Tower	118,087
Bangor Grammar (i)	664,756
Sullivan Upper, Holywood (i)	823,720
Friends School, Lisburn (i)	728,344
Wallace High, Lisburn (i)	732,763
Assumption Grammar, Ballynahinch	201,474
St Patrick's Grammar, Downpatrick	29,912
Our Lady & St Patrick's Grammar, Belfast	69,271
St Louis' Grammar, Kilkeel	12,037
St Michael's Grammar, Lurgan	107,870
Abbey Grammar, Newry	86,799
Our Lady's Grammar, Newry	57,951
St Colman's College, Newry	93,231
St Joseph's Grammar, Donaghmore	12,608
Sacred Heart Grammar, Newry	64,682
Royal School, Dungannon (ii)	636,003
Royal School, Armagh (i) (ii)	760,197
St Patrick's Grammar, Armagh	64,973
St Patrick's Academy, Dungannon	91,274

(i) Includes Prep Dept Non-Public Funds

(ii) Includes Boarding Dept Non-Public Funds

**Data Source:** 2007/08 S40 Statement of Accounts

For the purposes of responding to this request, it should be noted that non public funds in relation to Preparatory Departments and Boarding Departments are included in the funding data provided for a number of the schools and these schools are identified via the footnotes to the table in the response.

## Common Entrance Assessments

**Mrs M Bradley** asked the Minister of Education to detail the primary schools that are teaching or tutoring children for the Common Entrance Assessments developed by the Association for Quality Education and/or the GL Assessment English and Maths Special Access tests, broken down by Education and Library Board area.

(AQW 8328/09)

**The Minister of Education:** Scríobh mé chuig Príomhoidí agus Cathaoirligh Bhoird Ghobharnóirí gach bunscoile ar 11 Bealtaine 2009 leis an seasamh ar an cheist seo a leagan amach:

I wrote to the Principals and Chairpersons of Boards of Governors of all primary schools on 11 May 2009 setting out the position on this issue:

- (1) Primary Schools have explicit obligations within primary legislation (Articles 4-9 of the Education Order, 2006) to deliver the revised curriculum;
- (2) Primary schools are not legally required to prepare children for a post-primary school's Entrance Test and the Department strongly recommends against it;
- (3) No legislation provides primary schools with any explicit obligation to participate in any arrangements necessary to the operation of a post-primary school's Entrance Test.

The Education and Library Boards have also written to all controlled primary schools, and the Council for Catholic Maintained Schools has written to all Catholic maintained primary schools outlining the statutory duties of principals and Boards of Governors in relation to the revised curriculum.

I expect all primary schools to fulfil their statutory duties, and act responsibly in dealing with any pressure that may be applied by schools operating an entrance test. Parents also have a right to question the decision of any primary school to deviate from the revised curriculum. If the Board of Governors of a primary school is found to have failed to discharge its statutory duty to deliver the curriculum, it can be required to do so, ultimately, if necessary, by a direction from the Department.

The information requested is not routinely collected by the Department of Education. I am confident however, on the basis of the support evident at the five regional conferences that I have hosted for primary school principals, that there is a widespread determination within the primary sector to concentrate on delivering the revised curriculum to children.

## Independent Selection Tests

**Mr Burns** asked the Minister of Education what assurances she has received from primary schools that they are continuing to teach the revised curriculum and are not teaching or tutoring pupils for the independent selection tests being implemented by some grammar schools.

(AQW 8329/09)

**The Minister of Education:** I wrote to the Principals and Chairpersons of Boards of Governors of all primary schools on 11 May 2009 setting out the position on this issue:

- (4) Primary Schools have explicit obligations within primary legislation (Articles 4-9 of the Education Order, 2006) to deliver the revised curriculum;
- (5) Primary schools are not legally required to prepare children for a post-primary school's Entrance Test and the Department strongly recommends against it;
- (6) No legislation provides primary schools with any explicit obligation to participate in any arrangements necessary to the operation of a post-primary school's Entrance Test.

I expect all primary schools to fulfil their statutory duties, and act responsibly in dealing with any pressure that may be applied by schools operating an entrance test. Parents also have a right to question the decision of any primary school to deviate from the revised curriculum. If the Board of Governors of a primary school is found to have failed to discharge its statutory duty to deliver the curriculum, it can be required to do so, ultimately, if necessary, by a direction from the Department.

Bunaithe ar an tacaíocht a léiríodh ag na cúig chomhdháil réigiúnach a bhí agam le príomhoidí bunscoileanna, tá mé muiníneach go bhfuil diongbháilteacht fhorleathan in earnáil an bhunoideachais chun díriú ar an churaclam athbhreithnithe a sholáthar do pháistí.

I am confident, on the basis of the support evident at the five regional conferences that I have hosted for primary school principals, that there is a widespread determination within the primary sector to concentrate on delivering the revised curriculum to children.

### Transfer 2010

**Mr O'Loan** asked the Minister of Education to outline the costs accrued in (i) the transfer 2010 consultation process; (ii) the process of monitoring the implementation of transfer 2010; and (iii) the cost of assessing school compliance with transfer 2010. (AQW 8356/09)

**The Minister of Education:** Is iad na costais a fabhraíodh go dtí seo le linn an phróisis chomhairliúcháin ar Aistriú 2010 ná £14702.14. Níl fáil go fóill ar na costais a bhainfidh le monatóireacht a dhéanamh ar chur i bhfeidhm Aistriú 2010 agus ar an chostas a bhainfidh le measúnú a dhéanamh ar an mhéid a chloíonn scoileanna le hAistriú 2010.

Costs accrued in the transfer 2010 consultation process so far are £14702.14. Costs in respect of monitoring the implementation of transfer 2010 and the cost of assessing school compliance with transfer 2010 are not yet available.

### Common Entrance Assessments

**Mr D Bradley** asked the Minister of Education (i) to detail all the primary schools in the catchment area of each of those post-primary schools which will be implementing the Common Entrance Assessments developed by the Association for Quality Education and/or the GL Assessment English and Maths Special Access tests to transfer pupils; and (ii) to list by Education and Library Board area all the post-primary schools which will be using (a) the Common Entrance Assessments developed by the Association for Quality Education and (b) the GL Assessment English and Maths Special Access tests to admit transferring pupils in 2010. (AQW 8360/09)

**The Minister of Education:** Tá sé faoi chúram Bord Gobharnóirí na hiarbhunscoileanna scoilcheantar a bhunú dá scoil, mar shampla, trí thagairt a dhéanamh ar bhunscoil fhriothalach nó ar pharóiste. Ní bhunaíonn an Roinn scoilcheantar le haghaidh gach iarbhunscoil.

It is for the Board of Governors of each post-primary school to establish the catchment area of their school by reference to, for instance, feeder primary school or parish. The Department does not establish a catchment area for each post-primary school.

Information relating to the admissions criteria of post-primary schools will not be known until post-primary schools publish their admissions criteria in the Education and Library Board's 'Guide for Parents' Transfer booklets in autumn 2009.

### Free School Meals

**Mr B McCrea** asked the Minister of Education, pursuant to AQW 8036/09, to detail the percentage of children currently in receipt of free school meals in post-primary schools, broken down by school. (AQW 8363/09)

**The Minister of Education:** Athraíonn líon na bpáistí a fhaigheann béilí scoile ó seachtain go seachtain. Tugann an t-eolas a bhailítear ar bhonn bhliantúil tríd Áireamh na mBéilí Scoile pictiúr dúinn ar na líonta atá ag tógáil béilí ar an lá a bhailítear eolas an áirimh.

The number of children taking school meals varies from week to week. However, information collected annually from the School Meals Census provides a snapshot of the numbers taking meals on the day on which census information is gathered.

On the date of the most recent School Meals Census, 10 October 2008, the proportion of pupils in receipt of free school meals, in post-primary schools, broken down by school is as follows:



**BELFAST EDUCATION AND LIBRARY BOARD**

School	%
Aquinas Diocesan Grammar School	2
Ashfield Boys' High School	11
Ashfield Girls' High School	11
Belfast Boys' Model School	26
Belfast Model School For Girls	14
Belfast Royal Academy	5
Bloomfield Collegiate	3
Campbell College	1
Castle High School	45
Christian Brothers' Secondary School	55
Coláiste Feirste	27
Corpus Christi College	47
De La Salle College	25
Dominican College	6
Grosvenor Grammar School	5
Hazelwood College	32
Hunterhouse College	3
Little Flower Girls' School	20
Malone Integrated College	33
Methodist College	1
Orangefield High School	35
Our Lady of Mercy Girls' School	28
Rathmore Grammar School	1
St Dominic's High School	16
St Gemma's High School	58
St Genevieve's High School	30
St Joseph's College	22
St Louise's Comprehensive College	27
St Malachy's College	7
St Mary's Christian Brothers' Grammar School	16
St Patrick's College	36
St Rose's High School	35
Strathearn School	1
The Royal Belfast Academical Institution	1
Victoria College	4
Wellington College	1

**NORTH-EASTERN EDUCATION AND LIBRARY BOARD**

School	%
Antrim Grammar School	2
Ballee High School	39
Ballycastle High School	13
Ballyclare High School	1
Ballyclare Secondary School	7
Ballymena Academy	2
Ballymoney High School	16
Belfast High School	1
Cambridge House Grammar School	4
Carrickfergus College	8
Carrickfergus Grammar School	3
Coleraine Academical Institution	2
Coleraine College	23
Coleraine High School	3
Cross and Passion College	13
Crumlin Integrated College	6
Cullybackey High School	11
Dalriada School	1
Dominican College, Portstewart	8
Downshire School	8
Dunclug College	9
Dunluce School	14
Edmund Rice College	29
Garvagh High School	22
Glengormley High School	13
Larne Grammar School	4
Larne High School	19
Loreto College	3
Maghera High School	28
Magherafelt High School	11
Monkstown Community School	11
Newtownabbey Community High School	30
North Coast Integrated College	21
Our Lady of Lourdes High School	29
Parkhall College (Junior)	15
Parkhall College (Senior)	11
Rainey Endowed School	3
Slemish College	11

School	%
Sperrin Int College	18
St Aloysius' High School	38
St Benedict's College	21
St Colm's High School	14
St Comgall's High School	17
St Joseph's College	18
St Louis Grammar School	4
St Macnissi's College	4
St Mary's College, Clady	18
St Mary's Grammar School, Magherafelt	5
St Patrick's Co-Ed Comp. College, Maghera	9
St Patrick's College, Ballymena	17
St Paul's College	20
St Pius X College	20
Ulidia Integrated College	10

**SOUTH-EASTERN EDUCATION AND LIBRARY BOARD**

School	%
Assumption Grammar School	3
Bangor Academy and 6th Form College	10
Bangor Grammar School	2
Ballynahinch High School	8
Blackwater Integrated College	16
De La Salle Secondary School	23
Donaghadee High School	16
Down High School	1
Dundonald High School	24
Dunmurry High School	26
Fort Hill College	5
Friends' School	1
Glastry College	8
Glenlola Collegiate	1
Knockbreda High School	24
Lagan College	10
Laurelhill Community College	10
Lisnagarvey High School	41
Movilla High School	17
Nendrum College	23
Newtownbreda High School	15
Our Lady and St Patrick's College	0

School	%
Priory Integrated College	22
Regent House School	1
Saintfield High School	4
Shimna Integrated College	11
St Colman's High School	17
St Colm's High School	30
St Colmcille's High School	11
St Columbanus' College	18
St Columba's College	12
St Malachy's High School	21
St Mary's High School	19
St Patrick's Grammar School	4
St Patrick's High School	18
Strangford Integrated College	7
Sullivan Upper School	1
Wallace High School	1

**SOUTHERN EDUCATION AND LIBRARY BOARD**

School	%
Abbey Christian Brothers' Grammar School	8
Armagh Integrated College	30
Aughnacloy College	13
Banbridge Academy	2
Banbridge High School	12
Brownlow Integrated College	28
City of Armagh High School	19
Clounagh Junior High	15
Cookstown High School	11
Craigavon Senior High School (Lurgan)	15
Craigavon Senior High School (Portadown)	16
Drumcree College	36
Dromore High School	6
Fivemiletown College	8
Holy Trinity College	21
Integrated College Dungannon	22
Killicomaine Junior High School	8
Kilkeel High School	3
Lismore Comprehensive School	26
Lurgan College	2
Lurgan Junior High School	10



School	%
Markethill High School	3
New-Bridge Integrated College	9
Newry High School	12
Newtownhamilton High School	2
Our Lady's Grammar School	7
Portadown College	1
Rathfriland High School	9
Sacred Heart Grammar School	7
St Brigid's High School	36
St Catherine's College	16
St Ciaran's High School	11
St Colman's College	4
St Columban's College	26
St Joseph's Boys' High School (Newry)	39
St Joseph's Boys' High School (Coalisland)	43
St Joseph's Boys' High School (Crossmaglen)	32
St Joseph's Grammar School	10
St Louis Grammar School	9
St Mark's High School, Warrenpoint	22
St Mary's High School, Newry	29
St Mary's High School, Lurgan	16
St Michael's Grammar School	8
St Patrick's Academy	10
St Patrick's College, Dungannon	21
St Patrick's College, Banbridge	27
St Patrick's Grammar School, Armagh	9
St Patrick's High School, Keady	13
St Paul's High School (Bessbrook)	23
St Paul's Junior High (Lurgan)	17
Tandragee Junior High School	12
The Royal School Armagh	3
The Royal School Dungannon	3

**WESTERN EDUCATION AND LIBRARY BOARD**

School	%
Castlederg High School	21
Christian Brothers' Grammar School	7
Lisneal College	19
Enniskillen Collegiate Grammar School	2
Dean Maguirc College	17

School	%
Devenish College	10
Drumragh College	26
Erne Integrated College	17
Foyle and Londonderry College	5
Holy Cross College	27
Immaculate Conception College	41
Limavady Grammar School	5
Limavady High School	15
Lisnaskea High School	14
Loreto Grammar School	10
Lumen Christi College	6
Mount Lourdes Grammar School	8
Oakgrove Integrated College	29
Omagh Academy	3
Omagh High School	10
Portora Royal School	3
Sacred Heart College	23
St Aidan's High School, Derrylin	7
St Brigid's College	55
St Cecilia's College	42
St Columb's College	18
St Comgall's High School	29
St Eugene's College, Castlederg	51
St Eugene's College, Roslea	23
St Fanchea's College	19
St John's High School	36
St Joseph's High School, Creggan	27
St Joseph's High School, Enniskillen	16
St Mary's High School, Brollagh	25
St Mary's College, Irvinestown	26
St Mary's High School, Limavady	26
St Mary's College, Creggan	60
St Michael's College	7
St Patrick's and St Brigid's High School	24
St Patrick's High School, Dungiven	26
St Peter's High School	41
Strabane Grammar School	11
Strabane High School	32
Thornhill College	17

## Nursery Places in East Belfast

**Mr Newton** asked the Minister of Education, pursuant to AQW 8040/09, what action has she taken to address the shortfall in nursery places in East Belfast. (AQW 8383/09)

**The Minister of Education:** The process for admission to preschool provision is a preference based application system and parents are advised to list, in order of preference, a number of centres on the application form as it is not always possible to meet parents' first choice preferences. Funded places are available in both statutory nursery and voluntary/private settings.

The Belfast and South-Eastern Education and Library Boards have now provided revised figures which indicate that the number of applications which listed a statutory nursery setting in the East Belfast Westminster parliamentary constituency as a preference and which were not facilitated was 402. Of these, 237 were subsequently offered a place by other providers that they had listed as a preference. 165 children were unplaced at the end of the admissions process of which 90 were in their final preschool year and 75 in their penultimate preschool year. As at 1 May, 46 children in their penultimate preschool year (i.e. aged under 3) had been admitted to statutory nursery settings in the East Belfast Westminster parliamentary constituency. If the parents of children in their final preschool year had applied for any of these 46 places they would have received priority in the admissions process over the younger children and would have gained the place. In addition there were 37 places unfilled in the East Belfast constituency.

Both the BELB and SEELB Pre-School Education Advisory Groups will continue to review the uptake of funded places in the voluntary/private sector for the 2009/10 school year and reallocate places between providers as necessary.

Tá mé sásta go bhfuil leibhéal foriomlán an tsoláthair réamhscoile cistithe i mBéal Feirste Thoir leordhóthanach.

I am satisfied that overall the level of funded preschool provision in the East Belfast constituency area is adequate.

## Teacher Redundancies

**Mr P J Bradley** asked the Minister of Education whether she could confirm that every teacher facing redundancy on 30 June 2009 will receive their redundancy payment by that date; and can she give an assurance that all redundancy payments will be in keeping with the full amounts due. (AQW 8399/09)

**The Minister of Education:** Ní bhfuair an Roinn aon fhógra maidir le hiomarcaíocht mhúinteoirí faoin dáta 30 Meitheamh. Gheobhaidh múinteoirí a chaillfidh a bpostanna de bharr na hiomarcaíochta ag deireadh na bliana scoile i mí Lúnasa 2009, a n-íocaíocht iomarcaíochta mar chuid den tuarastal i mí Lúnasa má fhaigheann Foireann um Phá agus Pinsin na Múinteoirí an páipéarachas cuí faoin 6 Lúnasa. Beidh méid an íocaíocht iomarcaíochta ar aon dul leis an ráta cúitimh ceadaithe ag fostóir an mhúinteora agus is ar a shon a dhéanann an Roinn an íocaíocht.

The Department has not been notified of any teacher redundancies at 30 June. Teachers' who are being made redundant at the end of the school year, in August 2009, will receive their redundancy payment in their August salary provided the appropriate paperwork is received in Teachers' Pay and Pensions Team by 6 August. The amount of redundancy payment will be in line with the compensation rate authorised by the teacher's employer on whose behalf the Department makes payment.

## School Uniform Allowances Policy

**Mr Irwin** asked the Minister of Education to outline the rules governing the School Uniform Allowances policy. (AQW 8409/09)

**The Minister of Education:** Article 60 of the Education and Libraries (NI) Order 1986 places a duty on each Education and Library Board to make a scheme for the provision of, or contribution towards the cost of, clothing for certain categories of pupils at grant-aided schools or institutes of further education. The scheme applies to post-primary schools, further education colleges and day pupils at special schools and from the 2009/10 school year I have introduced a new primary school uniform allowance. Assistance is available towards the cost of

school uniform and appropriate clothing suitable for physical education. Eligible students who attend FE colleges may be assisted with the cost of PE clothing. Normally only one clothing allowance per pupil will be paid during the school year.

A pupil is entitled to a clothing allowance where:

- he/she or the parent is in receipt of Income Support, Income-Based Job Seeker's Allowance or Income-Related Employment and Support Allowance; or
- the parent receives the Child Tax Credit; and is not receiving Working Tax Credit because he/she works less than 16 hours per week and has an annual taxable income of £16,040 or less; or
- the parent receives the Guarantee element of State Pension Credit; or
- he/she is the child of an Asylum Seeker supported by the Home Office National Asylum Support Service (NASS).

The Clothing Allowances Scheme is not intended to cover the full cost of a uniform, rather it is designed to assist those in need with the cost of purchase.

The primary school allowance for 2009/10 will be £35. The post-primary/special school rates are:

<b>Under 15 years old</b>	<b>£50.00</b>
PE	£21.50
<b>Total</b>	<b>£71.50</b>
<b>15 years old and over</b>	<b>£55.00</b>
PE	£21.50
<b>Total</b>	<b>£76.50</b>

Ní bhaineann caitheamh éide scoile le reachtaíocht oideachais ar bith ach déanann na scoileanna an socrú faoi. Baineann bainistíocht na scoileanna ar bhonn laethúil le Príomhoidí agus cuirtear aon rialacha faoi éide na ndaltaí san áireamh leis seo, faoi réir treoir ar bith a thugtar dóibh ón Bhord Gobharnóirí.

The wearing of a school uniform is not governed by any education legislation but falls to schools to determine. The day-to-day management of schools, including any rules regarding the dress of pupils, is a matter for school Principals, subject to any directions that might be given by the Board of Governors.

### Class Sizes in Primary Schools

**Mr K Robinson** asked the Minister of Education when she intends to bring forward proposals to the Executive to increase funding to levels that would allow a reduction in class sizes in primary schools. (AQW 8427/09)

**The Minister of Education:** Mar chuid den phróiseas cáinainéise oideachais, tá mar thosaíochtaí agam méadú maoinithe chuig seirbhísí tosaigh scoile agus méadú cion an mhaoinithe atá ar fáil agus atá á thabhairt do bhunscoileanna, agus ag an am céanna ag cosaint na daltaí sin atá ag céimeanna eile oideachais.

As part of the education budget process, I have given priority to increasing funding to front-line school services and to increasing the proportion of available funding going to primary schools, whilst protecting pupils in the other phases of education.

School Boards of Governors have flexibility, afforded to them under the Local Management of Schools arrangements, to take decisions on class sizes and pupil-teacher ratios, in view of their responsibilities for determining the school's staffing complement and for managing the school's education budget. This allows the schools' Boards of Governors to determine how they use their delegated funding to maximum effect in accordance with their school's specific needs and priorities.

Decisions, by schools, on class sizes must also be taken in certain cases in accordance with specific statutory limitations and educational and health and safety policy considerations.

The quality of teachers and the instruction they provide is the key influence on learning outcomes, whilst there is also evidence that smaller class sizes in early years learning can have a positive impact on outcomes.



I recognise the need for teachers in schools with significant proportions of disadvantaged pupils to have smaller classes so that they can deal with the barriers to learning; give individual help to pupils; or work in small groups.

Since coming into office, I have initiated work to develop policies to tackle underachievement and ensure that every child has equal opportunity to achieve to her or his full potential – ‘Every School a Good School’, the new school improvement policy has recently been published and the revised Literacy and Numeracy Strategy is being finalised following the public consultation.

Looking ahead, I have asked my officials to review schools funding, with a particular focus on examining the disparity in funding between the primary and post-primary sectors.

### Class Sizes in Primary Schools

**Mr K Robinson** asked the Minister of Education if her Department has prepared draft proposals, including economic and financial planning, to increase the pupil element of the common funding formula in primary schools, with the aim of reducing class sizes and the pupil-teacher ratio. (AQW 8429/09)

**The Minister of Education:** Mar chuid den phróiseas cáinainéise oideachais, tá mar thosaíochtaí agam méadú maoinithe chuig seirbhísí tosaigh scoile agus méadú cion an mhaoinithe atá ar fáil agus atá á thabhairt do bhunscoileanna, agus ag an am céanna ag cosaint na daltaí sin atá ag céimeanna eile oideachais.

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Looking ahead, I have asked my officials to review schools funding, with a particular focus on examining the disparity in funding between the primary and post-primary sectors.

### Educational Psychologists

**Mr Kennedy** asked the Minister of Education to detail whether or not educational psychologists will be permitted to assist maintained, controlled and voluntary grammar schools with tribunals, given that the funding is already allocated to Education Library boards to provide this service. (AQW 8456/09)

**The Minister of Education:** Ní bhíonn Síceolaithe Oideachais ag cuidiú le scoileanna gramadaí faoi láthair i gcás Binsí Achomhairc Iontrála, agus mar sin de ní leithdháiltear aon chistiú ar Bhoird Oideachais agus Leabharlainne chun na críche sin.

Educational Psychologists do not currently assist grammar schools with Admission Appeal Tribunals, therefore there is currently no funding allocated to Education and Library Boards for this purpose.

### Youth Clubs and Services

**Ms Purvis** asked the Minister of Education what formula or method the Belfast Education and Library Board uses to distribute money for youth clubs and services in Belfast. (AQW 8470/09)

**The Minister of Education:** Soláthraíonn an Roinn Oideachais maoiniú don Bhoird Oideachais agus Leabharlainne Bhéal Feirste le seirbhísí don aos óg a sholáthar sa cheantar.

The Department of Education provides funding to the Belfast Education and Library Board for the provision of youth services in its area.

It is the responsibility of the Boards to decide how to distribute their budgets and resources taking account of the need to ensure that resources are allocated on an equitable basis and based on an assessment of objective need.

The Chief Executive of the Belfast Education and Library Board (BELB) has provided the following information on the methods used to distribute money for youth clubs and services in Belfast –

Each Education and Library Board has a support scheme for voluntary youth groups. The Belfast Education and Library Boards (BELB) scheme is based on a registration process which is followed through by the Area Youth Officer based on their detailed knowledge of their designated area. I have placed a copy of the BELB Support Scheme in the library for your convenience.

As the youth service works within a finite budget, any new bids for funding have to be balanced within available resources. Where required, an assessment process is undertaken within the BELB to consider new bids for funding or ‘gaps’ in youth service provision that are identified by area youth officers.

The 5 Education and Library Boards youth services’ have recently completed an Equality Impact Assessment of their ‘Schemes of assistance for voluntary youth groups’. This has resulted in the formation of a new common policy and guidance. It is intended that this new scheme will be implemented by the Education and Skills Authority.

### Youth Clubs and Services

**Ms Purvis** asked the Minister of Education how much of the core funding allocated to the Belfast Education and Library Board for youth clubs and services is spent on provision of services on the ground, compared to salaries and administration costs, in the last year. (AQW 8471/09)

**The Minister of Education:** Soláthraíonn an Roinn Oideachais maoiniú don Bhord Oideachais agus Leabharlainne Bhéal Feirste le seirbhísí don aos óg a sholáthar ina cheantar.

The Department of Education provides funding to the Belfast Education and Library Board for the provision of youth services in its area.

It is the responsibility of the Boards to decide how to distribute their budgets and resources taking account of the need to ensure that resources are allocated on an equitable basis and based on an assessment of objective need.

The Chief Executive of the Belfast Education and Library Board has provided the following information for the 2008/09 financial year:

	Expenditure 2008/09
HQ Youth Development - Salaries	342,972
HQ Administration- Salaries	118,957
HQ Miscellaneous	27,043
Youth Workers Salary & Contributions (Controlled/Voluntary)	1,903,885
Statutory Youth Club Costs (Controlled YC)	396,524
Grants to Voluntary Youth Clubs	338,554
Youth Worker Misc Costs	9,065
<b>Total Youth Expenditure</b>	<b>3,137,000</b>

## Teaching Staff with Disabilities

**Mrs I Robinson** asked the Minister of Education to detail the number of teaching staff with disabilities who taught at (i) primary schools; and (ii) post-primary schools, in the academic year 2008/09, broken down by Education and Library Board area. (AQW 8474/09)

**The Minister of Education:** Thug Príomfheidhmeannaí na mBord Oideachais agus Leabharlainne le fios don Roinn nach bhfuil an t-eolas a iarradh acu agus nach bhfuil siad faoi aon oibleagáid dhlíthiúil an t-eolas seo a bheith acu.

The Department has been advised by the Chief Executives of the 5 Education and Library Boards that they do not hold the requested information and are under no legal obligation to do so.

## Pupils with Disabilities

**Mrs I Robinson** asked the Minister of Education how many pupils with disabilities attended (i) primary schools; and (ii) post-primary schools, in the academic year 2008/09, broken down by Education and Library Board area. (AQW 8481/09)

**The Minister of Education:** Comprehensive information on pupils recorded as having been assessed as having a disability is not currently available for children in schools.

Tá eolas ar líon na bpáistí a bhfuil riachtanais speisialta oideachais (SENanna) acu sa tábla thíos.

Information on the number of children with special educational needs (SENs) is provided below.

**PRIMARY AND POST-PRIMARY PUPILS RECORDED AS BEING ON THE SPECIAL EDUCATIONAL NEEDS CODE OF PRACTICE (STAGE 1 – 5) 2008/09**

School type	ELB					Total
	BELB	WELB	NEELB	SEELB	SELB	
Primary	6,259	6,138	6,466	6,475	6,988	32,326
Post primary	6,181	4,423	3,466	3,918	4,106	22,094
<b>Total</b>	<b>12,440</b>	<b>10,561</b>	<b>9,932</b>	<b>10,393</b>	<b>11,094</b>	<b>54,420</b>

**Source:** Annual School Census.

**Note:**

- Figures for primary schools include pupils in nursery, reception and year 1 – 7 classes.
- A child has special educational needs if he or she has a learning difficulty which calls for special educational provision to be made.
- Children at Stages 1 – 5 of the SEN Code of Practice have been included. The details of each of the Stages of assessment are as follows:  
 Stage 1 – Teachers identify and register a child's special educational needs and, consulting the school's SEN co-ordinator, take initial action.  
 Stage 2 – The SEN co-ordinator takes lead responsibility for collecting and recording information and for co-ordinating the child's special educational provision, working with the child's teachers.  
 Stage 3 – Teachers and the SEN co-ordinator are supported by specialists from outside the school.  
 Stage 4 – The Board considers the need for a statutory assessment and, if appropriate, makes a multi-disciplinary assessment.  
 Stage 5 – The Board considers the need for a statement of special educational needs; if appropriate, it makes a statement and arranges, monitors and reviews provision.

## Epilepsy

**Mr G Robinson** asked the Minister of Education, pursuant to AQW 7908/09, if she intends to introduce a training programme for teachers on dealing with children who have epilepsy. (AQW 8507/09)

**The Minister of Education:** Mar a d'fhreagair mé sna AQW's ar thitmeas a d'ardaigh tú le déanaí, is dualagas reachtúil na scoileanna agus na mBord Oideachais agus Leabharlainne (ELBanna) é le riachtanais pháistí, a bhfuil riachtanais speisialta oideachais (SEN) acu, a aithint, a mheasúnú agus i gcásanna áirithe le soláthar speisialta oideachais a dhéanamh a bhfreastalóidh ar na riachtanais sin. Is é atá i gceist leis an creatlach

ná tacaíocht a thabhairt do gach páiste a bhfuil SEN acu agus tá na páistí a bhfuil diagnóis titimis orthu curtha san áireamh leis seo.

As advised in my response to your recent AQWs on epilepsy it is the statutory duty of schools and Education and Library Boards (ELBs) to identify, assess and in appropriate cases make special educational provision to meet the needs of children with special educational needs (SEN). The framework applies to support for all children with SEN, including those diagnosed with epilepsy.

The Chief Executives of the ELBs have advised that while they have no plans to introduce a training programme for all teachers on dealing with children who have epilepsy, schools can request such training from the ELBs when a particular special need, including epilepsy, is identified for specific pupils. It is appropriate that teachers receive training in epilepsy when required.

### Classroom Assistants

**Mr Gardiner** asked the Minister of Education what the total salary bill for classroom assistants in the SELB area represents as a percentage of the total salary bill for teaching staff in the SELB, in each of the last three years. (AQW 8508/09)

**The Minister of Education:** I ngach bliain le trí bliana anuas (2006-07, 2007-08 agus 2008-09), is é 11.6%, 9.0% agus 11.3% faoi seach an bille tuarastail iomlán a bhaineann le cuntaí ranga agus é sonraithe mar chéatadán den bhille tuarastail iomlán na bhfoirne teagaisc ó cheantair Bhord Oideachais agus Leabharlainne an Deiscirt.

The total salary bill for classroom assistants expressed as a percentage of the total salary bill for teaching staff in the Southern Education and Library Board area in each of the last three years (2006-07, 2007-08 and 2008-09) was 11.6%, 9.0% and 11.3% respectively.

### Classroom Assistants

**Mr Gardiner** asked the Minister of Education how many classroom assistants were employed by the SELB in the last three years. (AQW 8509/09)

**The Minister of Education:** Ba é líon na gcúntóirí ranga a bhí fostaithe ag Bord Oideachais agus Leabharlainne an Deiscirt i ngach bliain le trí bliana anuas (2007, 2008 agus 2009) ná 1,574, 1,727 agus 1,819 faoi seach.

The number of classroom assistants that were employed by the Southern Education and Library Board in the last three years (2007, 2008 and 2009) was 1,574, 1,727 and 1,819 respectively.

These figures reflect the number of classroom assistants in post on 1st January each year, and do not include the number of vacant posts.

### School Meals

**Mr Gardiner** asked the Minister of Education what action she has taken to improve the quality of school meals and the diet of schoolchildren in the last three years. (AQW 8510/09)

**The Minister of Education:** The Department of Education (DE) began the process of improving food in schools by implementing a pilot project in around 100 schools during 2004 to test the reaction to the introduction of compulsory nutritional standards for school meals. As a result the Department, in conjunction with the Education and Library Boards and other school authorities, began to introduce the standards to schools during the autumn 2005 term and they are now in place in all schools here.

The aims of the Standards are to help pupils make healthy choices by providing a range of healthy meals, to convey the meaning and importance of a healthy diet, and to contribute to a reduction in levels of child obesity.

The Department is also making available additional funding of over £3 million per annum to ensure that the food content value of school meals is a minimum of 50p in nursery, primary and special schools and a minimum of 60p in post-primary schools.



From September 2007 the Standards programme was extended to include other sources of food in schools, such as tuck shops and vending machines. Only healthy choices should be provided in vending machines, tuck shops, and other sources of food within the premises of each school.

The Education and Training Inspectorate has appointed two Nutritional Associates to evaluate the nutritional quality of meals in schools and examine schools' general approaches to promoting healthy eating as part of the school inspection process.

In addition, DE and the Department of Health, Social Services and Public Safety have also jointly funded the appointment of a Food in Schools Co-ordinator based in the Public Health Agency who is responsible for developing guidance on food in schools and for providing specialist support to Education Boards and Health partners. The "School Food – Top Marks" programme providing an essential guide for teachers, pupils, professional caterers and others in promoting and implementing healthier eating and drinking in schools was launched in March 2009.

Tá dréachtbheartas maidir le Bia i Scoileanna faofa ag an Choiste Feidhmiúcháin le déanaí a leagann amach aidhmeanna agus cuspóirí an bheartais ó thaobh chúrsaí bia i scoileanna agus a dhéanann cur síos ar réimse straitéisí agus pleananna atá á gcur i bhfeidhm le cothú feabhsaithe a sholáthar do na páistí scoile. Eiseofar an dréachtbheartas le haghaidh comhairliúcháin poiblí san Fhómhair 2009.

The Executive has recently approved a draft Food in Schools policy which sets out the overall aims and objectives of the policy in relation to food in schools and describes the range of strategies and plans that are being put in place to deliver improved nutrition for our school children. The draft policy will be issued for public consultation in the autumn 2009.

### Primary Schools' Languages Programme

**Mr Gardiner** asked the Minister of Education to outline in detail the procedure which she followed in selecting Spanish as the language used in the Primary Schools Languages Programme and to give details of the decision making process in the selection of Spanish in the Primary Languages Programme. (AQW 8511/09)

**The Minister of Education:** Dhíreoinn aird an chomhalta ar na freagraí a thug mé ar a cheisteanna, AQWanna 5187/09 agus 8166/09, a foilsíodh sa Tuairisc Oifigiúil ar 20 Feabhra agus ar 12 Meitheamh faoi seach, áit a leag mé amach go soléir an seasamh maidir le Spáinnis agus é san áireamh sa Chlár Phríomhtheangacha.

I refer the member to my answers to his previous questions AQWs 5187/09 and 8166/09 published in the Official on 20 February and 12 June respectively, where I clearly set out the position regarding the inclusion of Spanish in the Primary Languages Programme.

### Buddy Bear Trust

**Mr Durkan** asked the Minister of Education (i) for an update on actions resulting from the motion passed by the Assembly in support of the Buddy Bear Trust of 19 February 2008; (ii) to outline what assistance her Department intends to lend the Trust; and (iii) to outline what engagement she has had with the chairman of the Trust in the past 12 months. (AQW 8521/09)

**The Minister of Education:** Bhuaill mé le Cathaoirleach an Buddy Bear Trust (BBT) agus toscaireacht thuismitheoirí, pháistí agus ionadaithe eile BBT ar 23 Eanáir 2008 le moltaí maoinithe ó thaobh todchaí Scoil Buddy Bear de a phlé.

I met with the Chairperson of the Buddy Bear Trust (BBT) and a delegation of parents, children and other BBT representatives on 23 January 2008 to discuss funding proposals in relation to the future of the Buddy Bear School.

At this meeting I was presented with a proposals document setting out several options and, on 12 June 2008, I responded to those proposals, comprehensively setting out the Department of Education's (DE) position in relation to them, and concluding that they were unviable.

On 28 November 2008, the BBT presented further proposals to DE in a different format from those previously presented. DE has consulted both in the north and south of Ireland. Following detailed consideration of the funding options, DE again concluded that the proposed funding options continue to be unviable. I wrote to the Chairperson of the Buddy Bear Trust setting out my response on 2 April 2009.

The Buddy Bear School is an independent school and DE does not directly fund schools in the independent sector. DE has, however, provided support to this school by granting approval under Article 26 of the Education (NI) Order 1996, as suitable for the admission of children with special educational needs. ELBs can, therefore, place a child in the school without the need for specific Departmental approval. Should an ELB place a child with a statement of special educational needs in any independent school they –

- (a) shall pay the fees payable in respect of the education provided for the child at the school;
- (b) may pay any fees payable in respect of board and lodging provided for the child at the school; and
- (c) may provide transport for the child to facilitate his or her attendance at the school.

In addition to meeting with the BBT, I have received correspondence from the Chairperson of the Trust on 23 June 2008, 8 July 2008, 28 November 2008 and 10 June 2009 seeking to meet with me to discuss funding and support for the Buddy Bear School. As I have clearly set out my position with regard to the funding proposals, I was unable to agree to the requests since meeting would have been of no benefit.

The Department has also dealt with a very substantial body of correspondence raised by various Government Departments, the Committees for Education and Health, Social Services and Public Safety, Parliamentary and Assembly representatives both in the north and south of Ireland, local councils and private citizens as a result of the campaign being conducted by the Chairperson of the BBT and on each occasion I have responded fully setting out the Department's conclusions on the proposals presented, on behalf of the BBT.

### School Admissions

**Mr Easton** asked the Minister of Education if she can give an assurance that all Year 8 pupils living in North Down will be allocated to schools in North Down in September 2009. (AQO 3015/09)

**The Minister of Education:** Ligeann beartas an rollaithe oscailte do thuismitheoirí a roghanna a thabhairt maidir leis na scoileanna ar mian leo a bpáistí a bheith ag freastal orthu.

The policy of open enrolment enables parents to state their preferences for the schools they wish their children to attend. Not every pupil resident in North Down will apply to be admitted to schools in North Down.

There are currently fewer than 5<sup>1</sup> children resident in North Down who have not gained admission to any of the schools listed on their Transfer Form, however, the majority of these pupils did not apply to a school situated in North Down.

All of these pupils, in consultation with the Education and Library Boards, will be placed in a school within a reasonable travelling distance from their home.

This year, the Department has not been approached by any post-primary school in the North Down area to provide additional places for local children.

### Primary Schools: Language Teachers

**Mr Spratt** asked the Minister of Education to outline her plans to introduce full-time teachers of French and Spanish into primary schools. (AQO 3017/09)

**The Minister of Education:** Níl pleananna ar bith agam le múinteoirí Fraincise agus Spáinnise lánaimseartha a thabhairt isteach chuig bunscoileanna.

I have no plans to introduce full-time teachers of French and Spanish into Primary Schools. It is up to Primary Schools to decide on the teachers they use to deliver the revised curriculum, including the modern language provision which they offer.

I am however supporting Primary Schools through my Primary Languages Programme. It is already providing over 320 primary schools with tutors who can work alongside classroom teachers to deliver lessons in Spanish and Irish and, shortly, in Polish as well to support the integration of newcomer languages. Around 13,000

<sup>1</sup> The exact number of children has not been specified in order to prevent the identification of individual children.

primary pupils each week benefit from participating in this programme which is making a great contribution to language learning for our young people.

As well as this, schools are already encouraged to offer a wider range of modern languages, and the revised curriculum provides them with greater flexibility to do so. This includes scope for schools wishing to offer language learning at primary level, before it becomes a statutory requirement at Key Stage 3, and a qualification choice at Key Stage 4 and sixth form.

We know from experience in other European countries and our own Irish Medium sector that an early start to learning a second language is a key way of ensuring success in language learning at post primary and into adulthood.

There is a range of existing support for the delivery of an additional language in Primary Schools available through CCEA and the Education and Library Boards.

There are so many languages in our schools now. There is already a lot of “good work” going on in primary schools and on hearing about this and of the success of the Primary Languages Programme re-enforces my commitment to promoting an additional language in schools here.

### Education and Skills Authority

**Mr Irwin** asked the Minister of Education what additional difficulties she has identified resulting from the establishment of the Education and Skills Authority three quarters of the way into a financial year. (AQO 3018/09)

**The Minister of Education:** Cé go mbeidh an tÚdarás um Oideachas agus Scileanna oibríoch ar 1 Eanáir 2010, tá rialacha cuntasáíochta an Rialtais ann a chuireann in iúl go mbeidh an tÚdarás cuntasach faoin Roinn Oideachais le haghaidh gach gníomh airgeadais le linn na bliana airgeadais iomlán 2009-10 mar gur bunaíodh le linn bliana airgeadais é.

Government accounting rules dictate that although the Education and Skills Authority will become operational on 1 January 2010, because it is being established part way through a financial year, the Authority will be accountable to the Department of Education for all of the financial activities during the full 2009-10 financial year. This will include the financial activities undertaken by the Education & Library Boards and the other DE funded bodies during the period 1 April to 31 December 2009 prior to the establishment of ESA.

In light of this, my Department has reviewed the governance arrangements for the existing bodies and put in place a number of processes to oversee the transition to ESA.

One such change is the appointment of the Chief Executive (designate) of the Education and Skills Authority as an additional Departmental Accounting Officer for the period to 31 December 2009. This is to ensure effective oversight of the management and utilisation of all of the resources for which the new Authority will be accountable in 2009-10.

### Post-Primary Transfer

**Mr O’Loan** asked the Minister of Education what assessment she has made of the potential for legal challenges being taken as a result of unregulated transfer. (AQO 3019/09)

**The Minister of Education:** Sa treoír ar Aistriú Dhá Mhíle is a Deich a foilsíodh le haghaidh comhairliúcháin ar an dara lá de mhí Feabhra Dhá Mhíle is a Naoi, leagtar amach polasáí ginearálta na Roinne ar iontrálacha iarbhunskoile.

The transfer 2010 guidance published for consultation on 2 February 2009 sets out the Department’s policy on post-primary admissions generally. It confirms that there will not be a state sponsored test, and sets out a number of areas where breakaway grammar schools intending to operate entrance tests may be vulnerable to challenge on equality grounds if their arrangements are not as robust as those previously in place when the transfer test was in use.

I strongly recommend that schools do not operate breakaway entrance tests and urge any that are proposing to do so to reconsider their decision.

I am currently considering responses to consultations on the Department's transfer 2010 guidance with a view to finalising this guidance as soon as possible.

### Grammar School Admissions

**Mr Brolly** asked the Minister of Education if she will support parents who feel that their children are entitled to attend a state-funded grammar school without having to endure a non-state sanctioned entrance test. (AQO 3020/09)

**The Minister of Education:** Creidim gur chóir go mbeadh páistí ábalta freastal ar an scoil oiriúnach is cóngaraí dóibh, más é sin a dtoil, agus creidim nár chóir go mbeadh ar pháiste ar bith teist iontrála a dhéanamh chun áit a fháil in iar-bhunscoil, is cuma cén earnáil ina bhfuil siad.

I believe that children should be able to attend their nearest suitable school, if they so desire, and I do not believe that any child should have to sit an entrance test in order to gain admission to a post-primary school, of whatever type.

If all schools adhere to the Department's transfer 2010 guidance, which is being finalised following a period of consultation, testing would not be a factor in any child's application to a grammar school.

### Youth Services: East Belfast

**Mr Newton** asked the Minister of Education what steps she is taking to address the detached youth provision in east Belfast, when benchmarked against the detached youth provision provided in north, south and west Belfast. (AQO 3021/09)

**The Minister of Education:** Tá Bord Oideachais agus Leabharlainne Bhéal Feirste (BELB) freagrach go príomha ar sholáthar do dhaoine óga i gceantar Bhéal Feirste Thoir, cé go bhfuil an Bord Oideachas agus Leabharlainne an Oirdheiscirt freagrach ar cheantar an Chaisleáin Riabhach, a bhfuil bardaí lasitigh den toghcheantar Bhéal Feirste Thoir mar chodanna de.

The Belfast Education and Library Board (BELB) is primarily responsible for youth provision in the East Belfast area, although the South Eastern Education and Library Board has responsibility for the Castlereagh area, which includes wards which lie within the Belfast East constituency.

It is the responsibility of the relevant Boards to decide how to distribute their budgets and resources, taking account of the need to ensure that resources are allocated on an equitable basis and based on an assessment of objective need.

I have been provided with the following information by the Chief Executives of the Belfast and South Eastern Education and Library Boards.

The BELB has filled two Youth Outreach posts for the East Belfast area for 2009/10. This represents an increase in provision in the East Belfast area from last year, when these posts were vacant.

An additional Youth Outreach post is funded by the South Eastern Education and Library Board in the Castlereagh area.

Following the establishment of the Education and Skills Authority on 1 January 2010, decisions about resource allocations for youth provision across the north of Ireland will be made by the ESA, within parameters set by the Department of Education. The ESA will operate at a sub-regional level and will take into account needs at that sub-regional level.

### Portadown College

**Mr Moutray** asked the Minister of Education for an update on the newbuild for Portadown College. (AQO 3022/09)

**The Minister of Education:** Chríochnaigh an Roinn an measúnú a bhí á dhéanamh aici ar an leagan nua den bhreithmheas eacnamaíochta le haghaidh Portadown College a chuir Bord Oideachais agus Leabharlainne an Dheiscirt isteach.



The Department has completed its assessment of a revised economic appraisal for Portadown College, which was submitted by the Southern Education and Library Board. The Board has agreed to undertake further work on the option for a replacement school on the playing fields on the lower part of the existing school site.

### SEELB Area: School Buildings

**Mr Craig** asked the Minister of Education, if an inspection reports states that a building is unfit for purpose, what criteria the South Eastern Education and Library Board should follow in relation to undertaking new school projects or major renovations to schools. (AQO 3023/09)

**The Minister of Education:** Caithfear aon thionscadal scoile nua a mholtar faomhadh a fháil ón Roinn Oideachais agus measúnú bheith déanta air faoi chomhthéacs planála bunaithe sa cheantar agus faoi chreat an bheartais. Tá an Beartas um Scoileanna Inbhuanaithe, Aistriú 2010, ‘Gach Scoil Ina Scoil Mhaith’ agus Athbhreithniú ar an Ghaelscolaíocht curtha san áireamh leis seo.

Any proposed new school projects must be approved by the Department of Education and considered in the context of area-based planning and the policy framework.

Proposals will be brought forward by the South Eastern Education and Library Board and the Education and Skills Authority (ESA). ESA will be operational from 1 January 2010.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Statutory Redundancy: Claims for

**Mr Burns** asked the Minister for Employment and Learning to detail (i) the number of claims for statutory redundancy and related payments made to his Department by employees of businesses which have gone bankrupt or into administration; (ii) the number of these claims which have been approved; and (iii) the total cost to his Department of meeting these payments, in each of the last five years. (AQW 8314/09)

**The Minister for Employment and Learning (Sir Reg Empey):** The Department for Employment and Learning records the number of application forms and associated claims<sup>1</sup> from employees of businesses that have become legally insolvent. Claims which are not approved for any reason are not separately recorded but the decision not to approve can be challenged by the claimant at an Industrial Tribunal and if successful, would subsequently appear in the value of claims paid from the National Insurance Fund.

The tables below provide a break-down of application forms received in each of the last five years, the number of associated claims and the value of payments made to employees as a result of claims being processed as well as the administrative costs associated with processing those claims.

<sup>1</sup> An application form (RPI) can comprise of between 1 & 4 claims in respect of Redundancy, Arrears of Pay, Holiday Pay and Compensatory Notice Pay

Year	Applications for payment from the National Insurance Fund		Value of Claims Paid From National Insurance Fund
	Application Forms	Claims	
04/05	1,013	2,897	£2,615,576
05/06	1,016	2,925	£2,229,530
06/07	948	2,651	£2,269,396
07/08	827	2,355	£1,902,010
08/09	1,758	4,738	£3,821,751

Year	Administration costs recovered from National Insurance Fund
04/05	£374,000
05/06	£357,000
06/07	£389,000
07/08	£398,000
08/09	£388,000

The payments are made out of the National Insurance Fund, as indeed are the administrative costs. DEL acts as an 'Agent' of HM Revenue & Customs and as such the costs of administering the Redundancy Payments Scheme are fully recovered. Therefore, the value of the claims paid and associated administrative costs are cost neutral and not to the detriment of DEL's overall resource allocation.

### Pathways to Work Programme

**Mr Butler** asked the Minister for Employment and Learning for his assessment of the level and quality of service for those with disabilities entering the Pathways to Work programme. (AQW 8495/09)

**The Minister for Employment and Learning:** The Pathways to Work Service has been available throughout Northern Ireland since April 2008, having been introduced in seven phases from October 2005. An early evaluation of Pathways to Work highlighted that the Pathways Advisers were, in many instances, engaging with Incapacity Benefit clients with complex physical and mental health needs. In response, we decided that the Pathways Teams should be led by an expert in the area of disability and in 2007/08 existing Disablement Employment Advisers became Pathways Team Leaders. A further 12 Team Leaders were recruited in a special recruitment exercise and trained to ensure that Team Leaders were available in each of the 35 office areas. In addition, all of the Departments existing 130 Pathways Personal Advisers received specific training in disability issues and the Department's disability provision.

To enhance the range and quality of provision available for this vulnerable client group, new provision such as the Work Preparation Programme, the Condition Management Programme and, for those who meet the eligibility conditions, the Return to Work Credit was introduced. Importantly these initiatives are available to not only those who were mandated to engage with Pathways but also to people with disabilities who seek the Department's services on a voluntary basis.

The Department's Disablement Advisory Service has also established a Pathways Support Model which plays a key role in ensuring that a quality work-focused service continues to be delivered to clients. Resourced with three Disability Programme Managers and three Occupational Psychologists who were recruited specifically for this role, it provides advice and guidance to Advisers on Disability Programmes, programme eligibility and compatibility, disability awareness and on complex disability issues. It also helps to identify and provide any additional training which is required for Advisers.

The progressive roll out of Pathways means that, as with any new initiative, there are varying degrees of expertise within our Pathways Teams, with some teams in place for less than 12 months. However, I am pleased to note that the outcomes from those areas where Pathways has been in operation for a period are positive, with increased numbers of individuals accessing work. To the end of April 2009, over 3,000 people have been helped to find work, and increases of 10% in off-flows from incapacity benefit, measured after 6 months of a claim, have been achieved. In addition the numbers of clients applying for and receiving Return to Work Credit has nearly doubled in the period from autumn 2008 to the spring of 2009.

My Department will continue to evaluate this initiative to ensure that we continue to provide a quality service to this client group. My officials will be also be monitoring the impact that the introduction of the Employment and Support Allowance as the replacement of Incapacity Benefit, has had on this client group.

## Construction NVQs

**Mr McQuillan** asked the Minister for Employment and Learning if there has been a reduction in the number of students enrolling in NVQ courses relating to the construction industry due to the economic downturn.

(AQO 3028/09)

**The Minister for Employment and Learning:** Recent data indicates a decline in Further Education (FE) enrolments in construction related courses and it is likely that this is related to the problems facing the industry as a result of the economic downturn.

A snapshot of enrolment figures shows a drop of 11% (from 10,341 to 9,222) in construction related FE courses (the majority of which are NVQs) in February 2009, compared with February 2008.

## STEM Review

**Mr Ford** asked the Minister for Employment and Learning to give an indication of the publication date for the STEM Review co-ordinated by his Department and the Department of Education.

(AQO 3029/09)

**The Minister for Employment and Learning:** Minister Ruane and I commissioned an independent review of STEM policy in Northern Ireland and received the report in April. Both Departments are working closely to consider the report and the launch of the report is anticipated in September 2009. I am absolutely convinced that the importance of STEM to the Northern Ireland economy cannot be underestimated that is why my Department is working closely with the Department of Enterprise Trade and Investment to support the work of MATRIX.

## Department for Employment and Learning: Decision-making Process

**Mr D Bradley** asked the Minister for Employment and Learning for an assessment of his Department's involvement in the decision making process resulting in the withdrawal of discounted fees to Regional Colleges, the proposals for the University of Ulster York Street Campus and the proposed merger of Queen's University Belfast and Stranmillis University College.

(AQO 3030/09)

**The Minister for Employment and Learning:** My Department covers a wide range of policy areas, for which it has overall responsibility for strategy and policy development. In implementing its policies, the Department provides a number of its services directly, for example the Employment Service and the Careers Service, while in other areas it relies on a number of delivery organisations including Higher Education Institutions, Further Education Colleges and Training Organisations.

In terms of further education, the Department makes grants, loans and other payments to FE colleges under the Further Education (Northern Ireland) Order 1997. Under the Order, the governing bodies of FE colleges provide or secure the provision of suitable and efficient further education. In carrying out this duty, colleges have regard to the educational needs of industry, commerce and the communities in the areas in which they are situated.

The Department makes grants to Higher Education Institutions under The Education and Libraries (NI) Order 1993. These are intended to provide for any facilities and activities for education and research as determined by each governing body. The universities themselves are established under Royal Charter with the general objective of advancing learning and knowledge by teaching and research.

## Steps to Work Programme

**Mr Gallagher** asked the Minister for Employment and Learning to provide an update on the Steps 2 work programme; to detail the numbers placed in employment by each of the primary Steps 2 work contractors to date; and to confirm when inspection reports on the primary contractors will be published.

(AQO 3031/09)

**The Minister for Employment and Learning:** At 26 May 2009, 12,439 clients had participated on the programme since its roll-out in September 2008. However, it is too early at this stage to provide any meaningful

information on outcomes as participation on Steps to Work can be for up to 52 weeks. The first Education and Training Inspectorate inspection reports will be published on the Inspectorate website before the end of 2009.

### Postgraduate Students

**Mr Bresland** asked the Minister for Employment and Learning whether there has been an increase in students entering post-graduate education in the last three years. (AQO 3033/09)

**The Minister for Employment and Learning:** There has been a 3.6 % increase in the number of students entering postgraduate education at Northern Ireland Higher Education Institutions from 2005/06 until 2007/08 (the latest academic year for which data are available).

The actual figures are:

4,985 in 2005/06

4,980 in 2006/07

5,165 in 2007/08

### Queen's University Belfast and Stranmillis University College

**Mr Burns** asked the Minister for Employment and Learning if the final decision on the proposed merger of Queen's University and Stranmillis University College should be suspended until the Teacher Training Review is published. (AQO 3034/09)

**The Minister for Employment and Learning:** I acknowledge that the Review of Teacher Education is very relevant to this issue. I have already seen its contents in draft form and passed my comments to the Education Minister. When agreed, it will be passed to both the Department for Employment and Learning and Department of Education Committees prior to a public consultation. The Review will be considered alongside all other relevant factors in any final decision on the proposed merger between Queen's University Belfast and Stranmillis University College.

A final version of the business case for the proposed merger of Queen's University and Stranmillis University College has now been submitted and is currently being considered by officials in my Department. The document has not yet been forwarded to the Department of Finance and Personnel.

The business case will be made available to the Assembly's Committee for Employment and Learning once it has received internal approval from my Department, subsequent approval from the Department of Finance and Personnel and from me, as Minister.

A range of factors apart from the business case will need to be taken into consideration before a decision is made on the merger. One of these will be the Review of Teacher Education as I have already mentioned.

### Traditional Crafts

**Mr W Clarke** asked the Minister for Employment and Learning what courses are available to pursue a career in traditional crafts such as stonewalling and thatching. (AQO 3035/09)

**The Minister for Employment and Learning:** ApprenticeshipsNI, provides professional and technical training against frameworks developed by the Sector Skills Councils. The Construction Industry framework includes training in thatching and stonemasonry. There is no specific framework for dry stone walling.

There are 20 Training Suppliers contracted to provide the training at Level 2 and 10 at Level 3.

Local Further Education Colleges continue to offer a wide range of courses, subject to local demand, to encourage individuals to pursue a career in traditional crafts. North West Regional College is currently offering a course in stonewalling. South West College is an approved centre for the delivery of an NVQ in Stonewalling and provides a variety of short recreational classes.

I am also advised that Southern Regional College is currently in discussions with the Northern Ireland Environment Agency to deliver an NVQ in Stonewalling and specialist heritage carpentry from September 2009.



There is presently no FE provision being delivered in thatching.

DARD has advised that CAFRE does not offer courses specifically on traditional crafts, however the option to attend a 1-day course on dry stone walling is offered. Attendance at this course has typically been 20-25 per year.

### Student Fees

**Mr F McCann** asked the Minister for Employment and Learning when the interim report on student fees will be completed. (AQO 3036/09)

**The Minister for Employment and Learning:** The chairperson's interim report on student fees will be completed by the end of this month. This is to ensure that the interim report is as comprehensive as possible, and to allow for outstanding contributions from major stakeholders,

A meeting of the Review's Stakeholder Steering Group has been convened for 23 June to discuss and finalise the chairperson's interim report and I expect to receive it shortly after this date.

### Apprenticeships

**Mr Shannon** asked the Minister for Employment and Learning what steps he is taking to ensure that this year's school leavers will have apprenticeship placements from September; and to outline the discussions held between his representatives and members of the construction industry regarding apprenticeships. (AQO 3038/09)

**The Minister for Employment and Learning:** In the recent debate on apprenticeships I indicated my intention to introduce a Programme Led Apprenticeship provision from September 2009. This will guarantee an apprenticeship placement for all those school leavers meeting the appropriate eligibility criteria.

In the case of the construction industry, officials are working with the Construction Industry Training Board (CITB) and the Construction Employers' Federation to agree on a structure for a Craft Apprenticeship for construction. Currently CITB and CEF are drawing up a fresh proposal following consultation with their industry.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Glenavy: Incinerator Plant

**Mr Butler** asked the Minister of Enterprise, Trade and Investment for her assessment of providing funding for the Rose Energy incinerator plant at Glenavy. (AQW 8317/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** The company originally applied to the DETI administered Environment and Renewable Energy Fund for funding. This application was rejected, however, and the consortium subsequently approached Invest NI for support.

Negotiations between the promoters and Invest NI are ongoing, and until these are finalised I can not give an assessment of providing funding.

## Mineral Prospecting Licences

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment to detail the mineral prospecting licences currently operational. (AQW 8355/09)

### **The Minister of Enterprise, Trade and Investment:**

#### **CURRENT MINERAL PROSPECTING LICENCES 16/06/09**

<b>Licence Holder</b>	<b>Location / Area</b>	<b>Ref No</b>
Antrim Resources PLC	Islandmagee	AR01/08
Bord Gais Eireann	Larne	BG1/08
Conroy Diamonds & Gold	Keady	C1/09
Conroy Diamonds & Gold	Newtownhamilton	C3/09
Irish Salt Mining & Exploration Company	Ballycarry	ISM1/06
Lonmin PLC	Cloughmills	LON1/08
Lonmin PLC	Slievenanee/Cancormick	LON2/08
Lonmin PLC	Glencoy/Glenarm Rivers	LON3/08
Lonmin PLC	Garvagh/Gortnamoyagh	LON4/08
Lonmin PLC	Coleraine/Limavady	LON5/08
Lonmin PLC	North East Lough Neagh	LON6/08
Lonmin PLC	North Lough Neagh	LON7/08
Lonmin PLC	River Bann	LON8/08
Lonmin PLC	Northern stretch of River Bann	LON9/08
Lonmin PLC	Armoy/Cushendun	LON10/08
Lonmin PLC	Maghera/Kilrea	LON11/08
Lonmin PLC	Dromore	LON12/09
Metallum Exploration Limited	South of Strabane	MR1/08
Metallum Exploration Limited	Lisnaskea forrest area	MR2/08
Metallum Exploration Limited	Slieve Beagh	MR3/08
Metallum Exploration Limited	Clogher Valley North to Fintona	MR04/07
Metallum Exploration Limited	Clogher Valley	MR05/07
Metallum Exploration Limited	North and West Cookstown	MR06/07
Metallum Exploration Limited	South and West of lower lough Erne	MR8/08
Metallum Exploration Limited	Slieve Croob and Rathfriland	MR09/07
Metallum Exploration Limited	Hillsborough SE of St Johns Point	MR10/07
Metallum Exploration Limited	SE of Londonderry / Claudy	MR11/07
Metallum Exploration Limited	Armagh	MR12/08
Metallum Exploration Limited	Banbridge	MR13/08
Metallum Exploration Limited	West and South of Mourne	MR14/08
Metallum Exploration Limited	East and South Mourne	MR15/08
Omagh Minerals Ltd	Cavancaw	OM1/03
Omagh Minerals Ltd	Castlederg	OM2/08
Omagh Minerals Ltd	Ervinstown	OM3/08
Portland Gas (NI) Ltd	Islandmagee	PG01/07
Dalradian Gold Ltd	Strabane	DG3/07
Dalradian Gold Ltd	Plumbridge	DG4/07

Licence Holder	Location / Area	Ref No
Ulster Minerals Ltd/ Dalradian Gold Ltd	Curraghinalt	DG1/08
Ulster Minerals Ltd/ Dalradian Gold Ltd	Mountfield	DG2/08

A map of the current Mineral Prospecting Licences can be viewed online via the attached link: <http://www.bgs.ac.uk/gsni/minerals/maps/>

### Arntz Belting Company

**Ms Anderson** asked the Minister of Enterprise, Trade and Investment (i) if she is aware of indications that Arntz Belting Company is to close two factories; (ii) whether she has any indication that the Pennyburn factory, in the Foyle constituency, may be one of the intended closures; and (iii) if she will be in contact with Arntz Belting Company to ascertain the long-term plans for the Pennyburn factory given that it has been in receipt of sizeable funding from Invest NI. (AQW 8611/09)

**The Minister of Enterprise, Trade and Investment:** I am aware that Optibelt, the Parent Company of Arntz Belting Company Ltd is considering a number of options as a result of global economic downturn. As yet no decision has been made to close two factories nor specific factories identified.

Invest NI officials have kept me aware of challenges facing the Arntz Belting Company factory at Pennyburn, Londonderry.

On my behalf, Invest NI continue to liaise with the Company in relation to long-term plans for the Pennyburn Factory with a view to intervening if and when appropriate.

The Company have not received any funding from Invest NI since 1997. All obligations under previous offers have been fulfilled. There are, therefore, no clawback issues.

### Government Funding: Local Business

**Ms Ní Chuilín** asked the Minister of Enterprise, Trade and Investment for her assessment of the level of uptake of government-backed funding schemes by local businesses. (AQO 3042/09)

**The Minister of Enterprise, Trade and Investment:** There have been a number of government-backed funding schemes introduced over the past 6 months with the primary aim of helping businesses through the economic downturn. These include Invest NI's Accelerated Support Scheme and Short Term Aid Scheme and the UK-wide Enterprise Finance Guarantee.

I am pleased to be able to say that, already, 42 applications for support have been approved under Invest NI's Accelerated Support Fund. This has committed some £1.4 million of grant support and there are a further 45 applications being processed, which should see another £700,000 of support starting to flow to companies.

In relation to the Short Term Aid Scheme, this opened for applications on the 1st of June 2009. There have been over 150 enquiries to date and nine applications for support are currently being processed by Invest NI.

I am, however, concerned that uptake of the Enterprise Finance Guarantee has been much lower in Northern Ireland than in other parts of the UK and I am embarking on a series of meetings with the main banks in Northern Ireland over the next number of weeks to try and address this.

I would also like to take the opportunity to remind Members that my Department has prepared a detailed compendium of the various support schemes available to business. This can be accessed on the DETI website and has already received favourable comments from the business community.

### Invest NI

**Mr Ford** asked the Minister of Enterprise, Trade and Investment what measures have been taken by Invest NI to deal with the economic downturn. (AQO 3043/09)

**The Minister of Enterprise, Trade and Investment:** My Executive colleagues and I are engaged in ongoing discussions to consider what further we can do to support businesses at this time. The economic downturn is now a standing item on the agenda for Executive meetings.

We are maintaining a sharp focus on those areas we can control, and which will make the biggest difference to our clients and, where possible the wider business community.

Members will be aware of the £44.5 million package of measures to tackle the economic downturn that were announced by the Executive in December. Additionally, £1.2 billion of public sector construction schemes are currently on site.

Invest NI has also put in place a range of tailored support to help its clients to survive in the current market. There have been a number of seminars held across Northern Ireland which provided over 700 companies with practical information on surviving the credit crunch. In September 2008, I launched the £5 million Accelerated Support Fund and, at the end of last month, I announced details of the new £15 million Short-Term Aid Scheme. This will provide eligible businesses with financial assistance to enable them to plan and, where necessary, restructure for the future, while maintaining significant employment and retaining key staff so they are ready to take advantage of an economic upturn. The Scheme opened for applications on 1st June and there have been over 150 enquiries so far with nine applications for support currently being processed by Invest NI.

### Social Economy Enterprise Strategy

**Mr Spratt** asked the Minister of Enterprise, Trade and Investment to outline her plans to review the Social Economy Enterprise Strategy. (AQO 3048/09)

**The Minister of Enterprise, Trade and Investment:** I am committed to developing the social economy sector, with its distinctive role and impact on local communities and particularly disadvantaged people, groups and disadvantaged areas.

In recognising the importance of the sector, my Department led the development of the Executive's first cross-departmental strategy, published in 2004, entitled "Developing a Successful Social Economy".

We are currently finalising a refreshed strategy, working closely with the Social Economy Network (SEN) which represents the sector, and other key stakeholders both within and outside Government with a role to play in supporting its development. The refreshed strategy will continue the Executive's commitment to three strategic objectives - to increase awareness of the sector, develop its business strength and provide a supportive environment in which it can prosper. These continue to be highly relevant especially in the current economic downturn.

In support of our strategic approach, Invest NI yesterday launched its new Social Entrepreneurship Programme to build on the skills and capabilities of local social entrepreneurs and to ensure that those social economy enterprises which are capable of making a significant economic impact get appropriate financial and other support.

I plan to put the strategy out to public consultation early next month and my aim is to have it finalised and in place by October.

### Exploris Aquarium

**Mr McCarthy** asked the Minister of Enterprise, Trade and Investment what action her Department is taking to promote the Exploris Aquarium in Portaferry. (AQO 3049/09)

**The Minister of Enterprise, Trade and Investment:** I recognise the importance of the Exploris Aquarium in Portaferry as a tourist attraction and the contribution that Exploris provides to both the Regional and Northern Ireland Economy. With 94,674 visitors recorded in the 2008 calendar year, this is a key visitor attraction.

The Northern Ireland Tourist Board works to promote Northern Ireland as a short break destination to residents of Northern Ireland and the Republic of Ireland and as such recently launched a major marketing campaign in both markets. The campaign features attractions right across Northern Ireland, including the Exploris Aquarium in Portaferry.



NITB also includes the Exploris Aquarium within other promotional materials including brochures and the consumer website [discovernorthernireland.com](http://discovernorthernireland.com).

NITB will continue to work to develop, promote and market the Exploris Aquarium in Portaferry as a key part of the Northern Ireland tourism offering.

### Foreign Direct Investment

**Ms S Ramsey** asked the Minister of Enterprise, Trade and Investment if she has considered a review of the Foreign Direct Investment Strategy in light of the current economic downturn. (AQO 3050/09)

**The Minister of Enterprise, Trade and Investment:** Invest NI's results for the 2008 - 2009 show that there were 43 investments by externally owned clients, with investment commitments of £780 million, promoting or safeguarding 4,212 jobs and generating £95 million annually in wages and salaries.

Whilst these results highlight the significance of FDI to the Northern Ireland economy, it is also important to note that the vast majority of Invest NI's interventions from April 2002 to March 2009 were on behalf of indigenous businesses, with our locally-owned businesses accounting for 54% of all the assistance offered by Invest NI.

Invest NI's FDI effort continues to concentrate on the innovation-based sectors of international traded services, particularly software, business services, financial services and ICT. Although these sectors have been affected in some way by the economic downturn, in the short to medium term they are likely to create the most beneficial outcomes for the Northern Ireland economy.

Invest NI also continues to investigate new and emerging sectors to identify where potential future investment opportunities may exist. These include digital media, renewables, connected health and green technology.

An Independent Review of Economic Development is ongoing and its outcome will help my Department to gauge the success of the current investment strategies for both foreign and locally owned businesses

### Small and Medium-sized Enterprises

**Mr Maginness** asked the Minister of Enterprise, Trade and Investment to outline (i) what assessment has been made of the availability of credit for Small and Medium-Sized Enterprises; and (ii) what impact this is having on their ability to conduct business. (AQO 3051/09)

**The Minister of Enterprise, Trade and Investment:** There is little doubt that many businesses continue to experience financial and credit problems which are hindering their survival and growth.

In April this year, a survey carried out by the Institute of Directors showed that our local companies were finding their banking facilities more expensive, despite Bank of England interest rate cuts, and whilst the majority of businesses had been able to renew or extend their current facilities, many were experiencing difficulty in getting new loans or overdraft facilities.

Invest NI maintains continuous contact with its client base, the vast majority of which are SMEs, and anecdotal evidence received through this contact, and meetings I have held myself with local businesses, supports the findings of the IOD survey. And, as a result of these difficulties in securing appropriate credit, there has been a reduction in the forecasted number of projects which Invest NI is predicting to support during the coming year.

Executive colleagues continue to engage with the local banks to impress on them the importance of their role in assisting the growth and development of our local businesses and to encourage them to fully utilise the national measures, such as the Enterprise Finance Guarantee Scheme, that are available to them. I am particularly concerned that uptake of the Enterprise Finance Guarantee has been much lower in Northern Ireland than in other parts of the UK and I am embarking on a series of meetings with the main banks in Northern Ireland over the next number of weeks to address this.

### Invest NI and NI Tourist Board: Monitoring Rounds

**Mr McLaughlin** asked the Minister of Enterprise, Trade and Investment why Invest NI and the NI Tourist Board have released £10.4 million in reduced requirements in the June monitoring round. (AQO 3052/09)

**The Minister of Enterprise, Trade and Investment:** In the June monitoring round, Invest NI declared £2 million and NITB declared £4.6 million reduced requirements. This contributed to the overall departmental total of £10.4 million reduced requirements.

The reduced requirement in Invest NI was due to less demand from Foreign Direct Investment projects due to the global economic downturn.

The NITB reduced requirements were due to:

- £1.6 million slippage in projects; and
- £3.0 million from the Giants Causeway Visitor Centre as less Government contribution is forecast to be required than originally anticipated in Budget 2007.

Other reduced requirements in June monitoring round included:

- £0.9 million from InterTradeIreland due to reduced programme activity as a consequence of the economic downturn.
- £0.9 million from the Energy Challenge Fund as it will not be progressed during this financial year.
- 0.5 million from Broadband Stimulation as projects will cost less than anticipated.
- £1.5 million from minor reduced requirements across a range of DETI business area

## DEPARTMENT OF THE ENVIRONMENT

### Historic or Environmentally Important Site

**Mr Gardiner** asked the Minister of the Environment to detail the most severe measures his Department has taken against developers who damage an historic or environmentally important site. (AQW 8230/09)

**The Minister of the Environment (Mr S Wilson):** The most severe measure my Department can take is to secure a conviction, through the courts, against developers who damage a historic or environmentally important site. The extent of the punishment, including the level of fine, is then a matter for the presiding magistrate. The current maximum penalty for a person carrying out unauthorised demolition, alteration or extension to a listed building is, on summary conviction, imprisonment for a term not exceeding 6 months or a fine not exceeding £30,000, or both. On conviction on indictment, the term of imprisonment increases to a maximum of 2 years or a fine, or both.

The Department has, in the last 3 years, had 8 cases where prosecution has successfully been brought for unauthorised works to a Listed Building. Details of these are set out in the attached Annex.

In relation to archaeology, there has been no need to take measures against developers because the system has worked effectively; developers have been responsible in archaeological matters and there has been no significant unmitigated damage to archaeological sites.

#### ANNEX

#### DETAILS OF PROSECUTIONS OVER DAMAGE TO LISTED BUILDINGS IN THE LAST 3 YEARS

Date	Offence	Penalty
September 2007	Works to Beech Hill Hotel, Londonderry	£766 (inc costs)
September 2007	Alteration to 2 Quay Road, Ballycastle	£283 (inc costs)
June 2008	Demolition of out houses adjacent to Corrick House, Fivemiletown	£11,085 (inc costs)
June 2008	Works to 91 Dromore Road, Waringstown	£30,000
September 2008	Alteration to 11 Waterside, Coleraine	£583 (inc costs)
October 2008	Works to 33/35 New Road, Donaghadee	£5,000
March 2009	Alteration to 15 Waterside, Coleraine	£336 (inc costs)
June 2009	Demolition of 31 The Diamond, Moy	£16,170 (inc costs)

### Glenavy: Incinerator Plant

**Mr Butler** asked the Minister of the Environment for an update on the planning application for an incinerator plant at Glenavy. (AQW 8316/09)

**The Minister of the Environment:** The planning application, accompanied by an Environmental Statement, for a biomass fuelled power plant at Ballyvannon Road, Glenavy was submitted to Planning Service on 4 June 2008. Article 31 of the Planning (Northern Ireland) Order 1991 was applied to the proposal on 23 September 2008, designating the proposal as a major application.

Following initial consideration of the power plant application, additional environmental information was requested on 11 February 2009 as an Addendum to the Environmental Statement. The Addendum was submitted to Planning Service on 12 June 2009. At the same time Rose Energy also submitted a new separate planning application for the abstraction of water directly from Lough Neagh. The new application for water abstraction is accompanied by an

Environmental Statement. The water abstraction application will be processed in tandem with the power plant planning application.

Consultations on the new water abstraction planning application and accompanying ES, and on the Addendum to the ES accompanying the power plant application, will issue shortly to all relevant consultees.

Neighbour notification and advertisement in respect of the new water abstraction application and accompanying ES will take place on 22, 23 and 24 July. Re-advertisement and re-notification of neighbours in respect of the power plant application and Addendum will also take place on 22, 23 and 24 July.

### Golden Eagle Species

**Mr Butler** asked the Minister of the Environment what steps his Department has taken to reintroduce the golden eagle species, similar to the successful project in the Republic of Ireland at Glenveagh National Park. (AQW 8332/09)

**The Minister of the Environment:** The Department of the Environment currently has no plans to reintroduce Golden Eagles to Northern Ireland. Any project brought forward by a Non-Governmental Organisation would require licensing by the Department. Should such a licence application be received it would be assessed in relation to the relevant International Union for the Conservation of Nature guidelines which include the likelihood of success and the potential impact an introduced population of Eagles would have on the ecology and the agricultural activities in Northern Ireland.

Golden Eagles from Scotland are occasionally observed over Northern Ireland, as are birds that have been reintroduced into Glenveagh National Park. It is possible that these birds may, in time, set up a territory here and re-establish naturally provided the ecology is suitable.

### Maze/Long Kesh Site

**Mr Butler** asked the Minister of the Environment to outline why he has asked the Environment Agency to carry out a review of the listing of the prison buildings at the Maze/Long Kesh site, given that they meet the requirements of the legislation regarding listed buildings. (AQW 8333/09)

**The Minister of the Environment:** The decisions to list and schedule structures at the Maze were taken only after a detailed examination and consideration of the architectural and historic significance of the site and buildings had been carried out.

However, as a result of previous concerns expressed on this issue, I asked the Northern Ireland Environment Agency to carry out a further review of the listing and potential for delisting on this site. I believe it is appropriate that the concerns expressed by the public and some members of this Assembly, subsequent to the protection of these structures by the Agency, are seen to have been considered seriously.

### Areas of Special Scientific Interest

**Mr Wells** asked the Minister of the Environment how many areas of special scientific interest were declared in the year ending 31 March 2009. (AQW 8362/09)

**The Minister of the Environment:** Twenty-five Areas of Special Scientific Interest were declared in the year ending 31 March 2009.

### Listed Buildings

**Mr Butler** asked the Minister of the Environment how many reviews into listed buildings his Department has carried out in the last 5 years. (AQW 8377/09)

**The Minister of the Environment:** My Department has reviewed the listing status of 567 listed buildings within the last 5 financial years.

In most cases this has been as part of the ongoing Second Survey of Buildings of Architectural or Historic interest which has now covered 147 out of Northern Ireland's 526 electoral wards. However in some cases it was in response to requests from owners or the public.

### Public Hire Taxis

**Mr McGlone** asked the Minister of the Environment how many public hire taxis in Belfast have been found to be inadequately adapted to carry passengers with a disability. (AQW 8393/09)

**The Minister of the Environment:** Since 20 December 2000 it has been a legislative requirement for all taxis licensed for public hire in the City of Belfast to provide facilities for the carriage of passengers in wheelchairs.

Records available show at the annual PSV Inspection for the period January 2004 to January 2009 that 12 vehicles were recorded as having a defect related to wheelchair facilities. Specific details of the exact nature of each of the defects or information as to whether they could be attributed to inadequate adaption are not available from the records. In respect of spot checks carried out by enforcement officers at the roadside, information on the adequacy of adaptations to public service vehicles to carry passengers with a disability is not recorded.

### Fly-posting

**Mr Burns** asked the Minister of the Environment to detail (i) the law as it stands regarding 'flyposting'; (ii) the number of prosecutions which have been pursued for this offence; and (iii) the number of successful prosecutions, in each of the last five years. (AQW 8397/09)

**The Minister of the Environment:** Posters are considered to be advertisements under the Planning (Control of Advertisements) Regulations (NI) 1992. Under Article 84 of the Planning (Northern Ireland) Order 1991 any person found displaying an advertisement in contravention of the Advertisement Regulations is guilty of an offence and on summary conviction could be subject to a fine of up to £2,500 and in the case of continuing offences of up to £250 for each day during which the offence continues. There have been no prosecutions for fly posting offences in the last 5 years.

### Endangered Red List

**Mr Shannon** asked the Minister of the Environment how many of the birds on the endangered red list on mainland UK are also endangered in Northern Ireland. (AQW 8404/09)

**The Minister of the Environment:** The red list referred to is derived from the UK Birds of Conservation Concern. This provides information on the conservation status of regularly occurring birds in the UK. The most recent listing was published in May 2009.

A total of 246 species were included in this review. Their conservation status was assessed against a set of criteria to place each on one of three lists; green, amber and red in increasing level of conservation concern.



There are 52 species on the UK red list – these are species of greatest conservation concern. 22 of these species occur regularly in Northern Ireland.

The red list is being used by Northern Ireland Environment Agency to update its list of priority species and to inform the development of conservation actions to assist these species.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Government Cars

**Mr Gardiner** asked the Minister of Finance and Personnel which firm was successful in winning the contract for the supply of government/ ministerial cars in May 2007 and what was the scoring by category given to each firm tendering for the contract. (AQW 8234/09)

**The Minister of Finance and Personnel (Mr Dodds):** Mervyn Stewart (Skoda) was awarded the contract for the supply of Ministerial cars in May 2007; scores for each of the tenders are listed in the attached table.

Criteria	Available Marks	Winning Tender	Tender 2	Tender 3	Tender 4	Tender 5	Tender 6	Tender 7	Tender 8
Whole life Cost	30	28.53	30.00	16.92	19.91	26.75	21.82	15.45	17.27
Compliance with Specification	30	29.00	29.00	29.00	28.50	25.00	27.00	27.00	0.00 (no specification supplied)
Delivery Period	40	40.00	14.29	28.57	12.00	15.00	20.00	20.00	13.33
<b>Total</b>	<b>100</b>	<b>97.53</b>	<b>73.29</b>	<b>74.49</b>	<b>60.41</b>	<b>66.75</b>	<b>68.82</b>	<b>62.45</b>	<b>30.60</b>

### Energy Performance Certificates

**Mr Shannon** asked the Minister of Finance and Personnel if he would consider implementing regulation for Energy Performance Certificates through estate agents. (AQW 8437/09)

**The Minister of Finance and Personnel:** The European Union is currently working on a recast of the Energy Performance of Buildings Directive. One proposal under consideration by member states is to require that all marketing material includes the numeric indicator of the building's energy performance. One possible method of addressing this requirement should it be adopted would be to place such a duty on estate and letting agents.

Officials continue to monitor the progress and development of the recast through the EU, and will consult on any proposed legislation required to implement the recast Directive following its adoption by EU. It is too early at this stage to anticipate the outcome of the consultation exercise.

### Energy Performance Certificates

**Mr Shannon** asked the Minister of Finance and Personnel what steps he is taking to regulate letting agents to ensure that all properties have the up to date Energy Performance Certificate and leasers are protected under legislation. (AQW 8438/09)

**The Minister of Finance and Personnel:** The Department's power to make the Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 came from Section 2(2) of the European Communities Act 1972. In citing this section, regulations should not go above and beyond the requirements of the European Directive. The EU Directive on the Energy Performance of Buildings places the duty upon sellers and landlords to make available an Energy Performance Certificate to potential buyers and tenants, and this requirement is reflected in the above Regulations. Although estate and letting agents have

no statutory duty under the regulations, they do have a professional obligation to ensure that their clients are informed of their legislative requirements.

There are currently no plans to impose a duty on letting agents under these regulations; however my officials continue to monitor developments in Europe.

### Equal Pay Claim

**Mrs D Kelly** asked the Minister of Finance and Personnel pursuant to AQW 7760/09, how “the sample of between 100 and 150 of posts in the relevant grades will be examined as part of the review” were, or will be, selected. (AQW 8522/09)

**The Minister of Finance and Personnel:** Of the 616 Technical Grade posts in total, there were 69 discrete job titles. The sample consisted of all those individuals with a unique job-title, a random sample of 2 individuals for those job-titles where there were between 2 and 15 post holders and a 10% random sample for those job-titles where there were 16 or more post holders. The random samples were drawn by the Northern Ireland Statistics & Research Agency.

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Swine Flu

**Mr Burns** asked the Minister of Health, Social Services and Public Safety the cost incurred by his Department regarding the television publicity campaign outlining how to curtail the spread of swine flu. (AQW 7585/09)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** The cost incurred by my Department to post leaflets on swine flu to every house in Northern Ireland was £123,583 (which includes printing and distribution) and the cost of the television publicity campaign for Northern Ireland was £73,369.

### Swine Flu

**Mr Burns** asked the Minister of Health, Social Services and Public Safety how much it will cost his Department to post leaflets to every house, raising awareness of swine flu. (AQW 7587/09)

**The Minister of Health, Social Services and Public Safety:** The cost incurred by my Department to post leaflets on swine flu to every house in Northern Ireland was £123,583 (which includes printing and distribution) and the cost of the television publicity campaign for Northern Ireland was £73,369.

### MRSA Screening

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what action he is planning to test patients in the Northern Health and Social Care Trust for MRSA. (AQW 8235/09)

**The Minister of Health, Social Services and Public Safety:** The Northern Health and Social Care Trust (NHSCT) MRSA screening policy includes the screening of all residents from nursing and residential homes on admission to all acute hospitals within the Trust. Other high risk groups of patients screened by the NHSCT, as recommended by DHSSPS (2008), and by Coia et al. (2006), include:

- all patients admitted with a history of MRSA;
- all patients admitted from nursing and residential homes;
- all patients transferred from other hospitals, and
- all patients admitted to ICU, Neonatal Unit and Renal Unit.

Additional screening may also be undertaken on the request of the Infection Control Department in the event of an outbreak situation.

## MRSA Screening

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what action he is planning to test staff in the Northern Health and Social Care Trust for MRSA. (AQW 8236/09)

**The Minister of Health, Social Services and Public Safety:** The Health and Social Care Trusts are responsible for deciding which staff should be screened for MRSA. The Northern HSC Trust has a programme to test all staff working in or entering areas where there is an increased number of cases detected through patient monitoring or where cases arise in areas, such as the neonatal unit, which are normally completely free of MRSA.

## General Medical Services Contract

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with the UK Government, the Scottish Government and the Welsh Assembly regarding the content of the Quality and Outcomes Framework of the General Medical Services contract for 2010/11. (AQW 8247/09)

**The Minister of Health, Social Services and Public Safety:** The Quality and Outcomes Framework (QOF) was introduced as part of the new General Medical Services contract in 2004. The GMS Contract is a UK wide contract. Officials within my Department regularly discuss proposals and changes to QOF with the other UK Administration Health Departments as part of ongoing improvements and revisions to the GMS Contract, and such discussions continue in respect of 2010/11. Changes to QOF are not taken forward unless they have the agreement of all four UK Health Departments.

## Osteoporosis

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to outline the steps he is taking to promote the role of sunlight and vitamin D as a means of protecting bones and reducing the risk of osteoporosis and fragility fractures in later life. (AQW 8248/09)

**The Minister of Health, Social Services and Public Safety:** My Department supports osteoporosis prevention through the promotion of regular exercise, a balanced diet, smoking prevention and cessation, and a responsible approach to alcohol consumption. There are, at present, no plans to develop public information campaigns on the role of sunlight and vitamin D as a means of reducing the risk of osteoporosis and fragility fractures in later life. However, the new Skin Cancer Prevention Strategy will highlight that limited exposure to sunlight daily is important for maintaining the density of bones.

Osteoporosis is included in the General Medical Services Contract as a Directed Enhanced Service. This means patients aged 50 and over who have suffered a fragility fracture receive enhanced diagnosis, treatment, and advice from GPs on bone health and falls. GPs will balance advice on the health benefits of limited exposure to sunlight with further advice on the dangers of excessive exposure to ultraviolet radiation.

Work has commenced on the development of a service framework for promoting the health and social wellbeing of older people. The framework will set clear, measurable standards for health and social care for this group. It will include a section on osteoporosis covering the prevention and treatment of this condition.

## Optometry NI

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if he has had any contact with Optometry NI about changes for care homes, waiting times and numbers to be examined within proposed domiciliary eye care. (AQW 8269/09)

**The Minister of Health, Social Services and Public Safety:** I have not had any contact with Optometry NI about changes for care homes, waiting times and numbers to be examined within proposed domiciliary eye care.

### Optometry NI

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with Optometry NI in relation to proposed changes to domiciliary eye care. (AQW 8270/09)

**The Minister of Health, Social Services and Public Safety:** An advisory group was set up in April of this year to look at the rising costs of domiciliary eyecare. Optometry NI is represented on this group, along with representatives from DHSSPS, the Health and Social Care Board, the Business Services Organisation, Regulation and Quality Improvement Authority (RQIA) and the Guidelines and Audit Implementation Network (GAIN). The Group has met twice to review the procedures and protocols in connection with domiciliary visiting at nursing and residential homes and day care centres. Other aspects of Mobile Eye Service provision such as speciality training, clinical audit and the development of quality standards for best practice have also been discussed by the group.

### Optometry NI

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if he has had any discussion with Optometry NI about the connection between sight loss and dementia. (AQW 8271/09)

**The Minister of Health, Social Services and Public Safety:** I have not had any discussion with Optometry NI about the connection between sight loss and dementia.

However, I understand that this issue is currently being researched locally by ophthalmologists and geriatricians. I also understand that Bradford University is developing specialist training for optometrists in managing patients with dementia.

### Inflammatory Bowel Disease: Nursing Posts

**Mr McFarland** asked the Minister of Health, Social Services and Public Safety, in light of the recently launched Inflammatory Bowel Disease (IBD) Service Standards, if he intends to increase the number of IBD nursing posts. (AQW 8285/09)

**The Minister of Health, Social Services and Public Safety:** Whilst there are nurses with a key role in Inflammatory Bowel Disease employed by the Health & Social Care Trusts, there are no “specialist” nurses specifically with this remit and no current plans to introduce them.

However, my Department continues to work with HSC Trusts to help drive forward standards of care for this group of patients.

### Physiotherapist Posts

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many physiotherapist posts, broken down by specialism, are currently vacant across all Health and Social Care Trusts. (AQW 8298/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is provided in the Table below.

NUMBER OF VACANT PHYSIOTHERAPY POSTS IN JUNE 2009 BY HSC TRUST AND SPECIALISM.

HSC Trust	Specialism	WTE
Belfast	Acute	25.06
	Community	7.0
	Adult Learning	0.5
	Young Physical Disability	1.0
	Intermediate Care	3.5
Northern	Paediatrics	3.0



HSC Trust	Specialism	WTE
South Eastern	Paediatrics	0.9
	Respiratory	1.0
	Acute/Outpatients	1.5
	Rotational Acute	3.7
Southern	Paediatrics	2.66
	Rotational	7.0
	Intermediate Care	0.5
	Care of the Elderly/Domiciliary	1.04
	Condition Management	2.0
Western	Community	0.6
	Rotational	4.5
	Acute	2.8
	Respiratory	0.6

Source: Health & Social Care Trusts

In the current CSR period, £64.8m of additional funding will be made available for community based services, of which Physiotherapy is one of the Allied Health Professional services that will benefit. Planned expenditure for Physiotherapy rose by just under £1m in 08/09.

### Intractable Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety how many children, under 10 years of age who have intractable epilepsy have been referred to hospitals in other parts of the United Kingdom for treatment in each of the last five years. (AQW 8301/09)

**The Minister of Health, Social Services and Public Safety:** The table below shows the number of children under 10 years of age suffering from intractable epilepsy that were referred to other hospitals in the UK for consideration of treatment in each of the last five years.

Year	Number of referrals of children aged under 10 years with intractable epilepsy referred to other hospitals in the UK in:
2004/05	9
2005/06	10
2006/07	11
2007/08	11
2008/09	14

Source: Health and Social Care Trusts

I do not believe that a new strategy for treating these children is required. Children suffering from this very debilitating condition currently have access to appropriate care and treatment, ranging from primary and community care to specialist regional and supra-regional specialist services, depending on their assessed individual needs. There are many options for their care within the health service here and by onward referral to centres elsewhere in the UK. The HSC Board may also give prior approval for treatment in other countries where there is clinical evidence that this is necessary.

It is for the Health and Social Care (HSC) Board, as commissioners of services, to prioritise and allocate resources to meet the needs of their local population, including those with epilepsy. In determining their priorities, the HSC Board will take into account local circumstances, the strategic objectives established for the HSC and demands and pressures generally for a wide range of health and social care services.

The routine treatment for epilepsy patients is through the use of anti-epileptic drugs. Morphine is not routinely used as treatment for epilepsy and would not be used for seizure control.

### Intractable Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what plans he has to introduce a new strategy to treat children, under 10 years of age who have intractable epilepsy. (AQW 8302/09)

**The Minister of Health, Social Services and Public Safety:** The table below shows the number of children under 10 years of age suffering from intractable epilepsy that were referred to other hospitals in the UK for consideration of treatment in each of the last five years.

Year	Number of referrals of children aged under 10 years with intractable epilepsy referred to other hospitals in the UK in:
2004/05	9
2005/06	10
2006/07	11
2007/08	11
2008/09	14

**Source:** Health and Social Care Trusts

I do not believe that a new strategy for treating these children is required. Children suffering from this very debilitating condition currently have access to appropriate care and treatment, ranging from primary and community care to specialist regional and supra-regional specialist services, depending on their assessed individual needs. There are many options for their care within the health service here and by onward referral to centres elsewhere in the UK. The HSC Board may also give prior approval for treatment in other countries where there is clinical evidence that this is necessary.

It is for the Health and Social Care (HSC) Board, as commissioners of services, to prioritise and allocate resources to meet the needs of their local population, including those with epilepsy. In determining their priorities, the HSC Board will take into account local circumstances, the strategic objectives established for the HSC and demands and pressures generally for a wide range of health and social care services.

The routine treatment for epilepsy patients is through the use of anti-epileptic drugs. Morphine is not routinely used as treatment for epilepsy and would not be used for seizure control.

### Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to confirm that morphine is not routinely used as a treatment for epilepsy patients. (AQW 8303/09)

**The Minister of Health, Social Services and Public Safety:** The table below shows the number of children under 10 years of age suffering from intractable epilepsy that were referred to other hospitals in the UK for consideration of treatment in each of the last five years.

Year	Number of referrals of children aged under 10 years with intractable epilepsy referred to other hospitals in the UK in:
2004/05	9
2005/06	10
2006/07	11
2007/08	11
2008/09	14

**Source:** Health and Social Care Trusts

I do not believe that a new strategy for treating these children is required. Children suffering from this very debilitating condition currently have access to appropriate care and treatment, ranging from primary and community care to specialist regional and supra-regional specialist services, depending on their assessed individual needs. There are many options for their care within the health service here and by onward referral to centres elsewhere in the UK. The HSC Board may also give prior approval for treatment in other countries where there is clinical evidence that this is necessary.

It is for the Health and Social Care (HSC) Board, as commissioners of services, to prioritise and allocate resources to meet the needs of their local population, including those with epilepsy. In determining their priorities, the HSC Board will take into account local circumstances, the strategic objectives established for the HSC and demands and pressures generally for a wide range of health and social care services.

The routine treatment for epilepsy patients is through the use of anti-epileptic drugs. Morphine is not routinely used as treatment for epilepsy and would not be used for seizure control.

### Northern Ireland Fire and Rescue Service

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to confirm that Northern Ireland Fire and Rescue Service directors will have to repay monies received as a result of the pay award that did not follow the proper approval process. (AQW 8339/09)

**The Minister of Health, Social Services and Public Safety:** The retrieval of unauthorised payments made to the non-uniformed Directors is a contractual matter between the Northern Ireland Fire and Rescue Service and the individuals concerned. I have, however, asked the Fire and Rescue Service to explore all means available to recover all of the unauthorised payments.

### Chief Fire Officer

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if he will continue to have the Chief Fire Officer as a Special Adviser in light of the recent pay rise that did not follow the proper approval process. (AQW 8340/09)

**The Minister of Health, Social Services and Public Safety:** As I indicated in my previous answer (AQW 6452/09), I have no Special Adviser for questions regarding the Northern Ireland Fire and Rescue Service. I seek advice on operational matters from the Chief Fire Officer and the Northern Ireland Fire and Rescue Service Board.

### Inflammatory Bowel Disease

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety how many Health and Social Care Trusts have a designated clinical lead for Inflammatory Bowel Disease. (AQW 8351/09)

**The Minister of Health, Social Services and Public Safety:** IBD services are generally managed by clinical leads in Gastroenterology/ Endoscopy. The Northern HSC Trust has recently appointed a lead clinician in Inflammatory Bowel Disease (IBD) based in the Causeway Hospital.

### Osteoporosis

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what progress has been made in implementing the Primary Medical Services (Directed Enhanced Services) Direction NI 2008 Scheme on osteoporosis and the secondary prevention of fractures. (AQW 8352/09)

**The Minister of Health, Social Services and Public Safety:** In 2008/09 my Department introduced a 3 year Directed Enhanced Service for the identification, assessment and treatment of osteoporosis among older people who have already suffered a fragility fracture. The Directed Enhance Service came into operation in September 2008.

In year one of the Directed Enhanced Service (2008/09) Practices that had undertaken to provide the service were required to compile a disease register of female patients over the age of 50 who have had a fragility fracture

and one third of the patients on the register were to receive an assessment and treatment in accordance with the Osteoporosis/Secondary Prevention of Fractures scheme.

The Regional Offices of the Health and Social Care Board have advised that to date 353 out of the 357 Practices in Northern Ireland have signed up to provide this voluntary service. The respective Regional Offices will be examining and addressing the need to ensure that this service is provided to patients of the four Practices not currently offering the service.

Data on success rates will be readily available once the service becomes more established.

### **Northern Health and Social Care Trust: Chief Executive**

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety to outline the reasons for the resignation of the Chief Executive of the Northern Health and Social Care Trust. (AQW 8555/09)

**The Minister of Health, Social Services and Public Safety:** Norma Evans made her own decision to bring forward her planned retirement. It would be inappropriate to comment further on her decision.

### **DEPARTMENT FOR REGIONAL DEVELOPMENT**

#### **Bridal Loanan Cul-de-sac, Warrenpoint**

**Mr P J Bradley** asked the Minister for Regional Development if he will consider setting up a survey to identify lands that would be suitable to provide an alternative entrance and exit to and from the Bridal Loanan Cul-de sac, Warrenpoint. (AQW 8254/09)

**The Minister for Regional Development (Mr Murphy):** My Department's Roads Service has advised that it is aware of the difficulties experienced, at peak times, in accessing the Bridal Loanan Cul-de-sac. However, it would be very difficult to provide any substantial improvements to the existing entrance.

Providing an alternative means of access, would be substantial and involve the acquisition of additional land. In the present circumstances, such a scheme could not be justified, when competing against other more important schemes.

Therefore, at present, Roads Service has no plans to provide an alternative means of access to the Bridal Loanan Cul-de-sac.

#### **NI Railway Trains**

**Mr G Robinson** asked the Minister for Regional Development if EU funding was obtained for the new NI Railway trains. (AQW 8259/09)

**The Minister for Regional Development:** EU funding was not obtained to assist with the purchase of new trains for the railway network here as the project did not satisfy any of the conditions of the various EU funding programmes.

#### **Grand Parade, East Belfast**

**Mr Newton** asked the Minister for Regional Development what plans Roads Service has to upgrade Grand Parade, East Belfast and surrounding roads. (AQW 8260/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it is currently completing a scheme on Grand Parade, which includes the provision of an additional pelican crossing, an upgrade of the existing zebra crossings and the provision of two refuge islands to assist pedestrians. Carriageway markings have also been provided to help reduce vehicle speeds and to create a cycle lane in each direction. This scheme is due for completion in early July.



There are no further plans at present to carry out further upgrades in Grand Parade, or the roads in the immediate vicinity.

### Grand Parade, East Belfast

**Mr Newton** asked the Minister for Regional Development how many complaints have been received in relation to road vibrations emanating from Grand Parade, East Belfast. (AQW 8263/09)

**The Minister for Regional Development:** I can advise the Member that my Department's Roads Service has received complaints from seven properties, between November 2000 and June 2009, in relation to road vibrations in Grand Parade.

### Grand Parade, East Belfast

**Mr Newton** asked the Minister for Regional Development to provide the data of vehicular usage, including traffic surveys of Grand Parade, East Belfast, in each of the last five years. (AQW 8264/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it collects data from approximately 300 automatic traffic counting sites located throughout the North's road network. I can advise the Member that none of the automatic traffic counting sites are currently situated at Grand Parade, Belfast. Therefore, it is not possible to provide the data on vehicular usage requested. However, a pelican crossing was recently installed on Grand Parade, near Orby Road, and a traffic survey was carried out on 10 January 2008. I have summarised the findings of this survey in the table below.

Time Period	2 way flow
08:00 – 09:00	1456
09:00 – 10:00	1008
14:00 – 15:00	1236
15:00 – 16:00	1372

### Grand Parade, East Belfast

**Mr Newton** asked the Minister for Regional Development when the structural viability of Grand Parade, East Belfast was last assessed. (AQW 8265/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that 'C' class roads, such as Grand Parade Belfast, are monitored using Coarse Visual Inspection (CVI) surveys, in accordance with the United Kingdom Pavement Management System, which is carried out over a 4-year period on all roads. In general terms, the observed output from the CVI identifies lengths of road where the surface condition is deteriorating and exceeds certain pre-determined thresholds.

The last CVI inspection of Grand Parade was carried out in 2007 and some minor carriageway deterioration was noted. This is routinely monitored through the cyclical inspections of the public road network, when anything which is considered to be hazardous to the public is identified, and subsequently programmed for repair.

The footways and carriageway in Grand Parade, Belfast, are inspected on a 4-week cyclical basis and the most recent inspection was undertaken on 30 May 2009.

### Road Network

**Mr Newton** asked the Minister for Regional Development to detail what process Roads Service follows to measure and monitor the structural viability of the road network. (AQW 8266/09)

**The Minister for Regional Development:** My Department's Roads Service monitors the condition of the public road network, using a variety of specialist machines and visual surveys, in order to measure its strength,

skidding resistance and surface condition. Annual road condition surveys on the main strategic road network include the:-

- Deflectograph assessment – which measures the structural strength and life expectancy of the road;
- SCRIM (Sideways-force Coefficient Routine Investigation Machine) assessment – which measures the skidding resistance of the road surface; and
- SCANNER (Surface Condition Assessment for National Network of Roads) assessment - which is a new condition survey, undertaken at normal traffic speed, using laser sensors and other devices to measure rutting, cracking and the profile of the road surface.

All other roads are monitored using Coarse Visual Inspection (CVI) surveys, which are carried out on a cyclic basis, over a 4-year period.

Roads Service also implements a system of regular inspections, to ensure that essential response maintenance is identified and completed as necessary.

### **Roads Service and Northern Ireland Water**

**Mr Burns** asked the Minister for Regional Development to detail the work planned to be carried out by Roads Service and NI Water, in the South Antrim constituency, in June 2009. (AQW 8292/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the following work will be undertaken in the South Antrim Constituency during June 2009:

- Resurfacing of Ballyrobin Road, Templepatrick;
- resurfacing of Ballynadentrigh Road, Crumlin;
- resurfacing of Manse Road, Crumlin;
- resurfacing of Old Lough Road, Antrim;
- resurfacing of Massereene Street, Antrim;
- provision of 30 metres of infill footway at Portglenone Road, Randalstown;
- new kerb lines, drainage installation and carriageway resurfacing at 57 Templepatrick Road, Newtownabbey;
- reconstruction of footway at Ards Drive, Newtownabbey;
- carriageway resurfacing at Craigarogan Road, Newtownabbey;
- carriageway resurfacing at Downshire Road, Carrickfergus; and
- reconstruction of footway at Windmill Estate, Carrickfergus.

Roads Service will also carry out routine maintenance work on roads in the South Antrim constituency during June 2009.

Northern Ireland Water has advised of the following work to be carried out in the South Antrim Constituency during May 2009:

- Replacement watermain - Birchill Road, Antrim;
- reservoir Rehabilitation Programme phase 1 – Crosskeen Service Reservoir, Antrim;
- reservoir Rehabilitation Programme phase 2 – Battery Hill Service Reservoir;
- service reservoir, enhanced security – Antrim and Newtownabbey;
- replacement of joints – Hyde Park Service Reservoir, Newtownabbey; and
- upgrading of existing works – Milltown Wastewater Treatment Works, Antrim.

This work is in addition to the day-to-day maintenance and repair required to the water and sewerage network.

### **M2: Traffic Flow**

**Mr Burns** asked the Minister for Regional Development for his assessment of the improvement in traffic flow on the M2, now that the third citybound lane has been open for several weeks. (AQW 8293/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that although traffic is generally lighter at this time of year, the early indications are that opening three lanes in each direction,

between Sandyknowes and Greencastle junctions, has significantly reduced journey times on this section of the M2 and the approaches to it.

The provision of an additional traffic lane on the Belfast-bound carriageway from Sandyknowes Junction has reduced delays for traffic joining the M2 at this location, and this has improved journey times during the morning peak. This in turn has considerably reduced the queue of M2-bound traffic on Sandyknowes Roundabout and improved the efficiency of this key intersection.

Widening the two-lane country bound section of the M2, over the Greencastle junction, to three lanes has also reduced congestion at this point and improved journey times during the evening peak.

Roads Service realise that the completion of the M2 Improvements and the M1/Westlink Schemes has resulted in traffic now being delivered much more quickly to the Nelson Street off slip and York Street junction. This has resulted in increased pressure on this part of the road network and traffic can now queue back along the M2 Foreshore from Nelson Street off slip in the morning peak.

In planning for this, Roads Service has developed preliminary proposals to provide major improvements to the York Street area. A scheme to improve the links between the M2, M3 and Westlink is included in my Department's published Investment Delivery Plan for Roads, which envisages construction commencing in the latter part of the 10-year plan period 2008 – 2018. The timescale for the start of construction of the new Westlink/York Street junction is dependent upon the successful completion of the necessary Statutory Procedures (Environmental Statement, Designation Order and Vesting Order), a detailed economic appraisal and the availability of funding through the normal budgetary process.

As an interim measure, Roads Service will undertake minor improvements to improve the capacity of the York Street/Westlink junction this summer. This will involve widening the M2 bound carriageway of the Westlink, to provide a dedicated left turn lane to York Street, and extending the length of the existing M3 bound lane.

## Water Rates

**Mr Shannon** asked the Minister for Regional Development if he has considered charging water rates to registered charities. (AQW 8311/09)

**The Minister for Regional Development:** The Executive agreed with the Independent Water Review Panel's recommendation that billing for water and sewerage services should be extended to all non-domestic properties from 1 April 2008. Many non-domestic consumers, including some charities, have been paying water charges for a number of years. The Executive decided to phase in the extension over a two year period with customers paying half of the full bill in 2008/09 and the full amount from 2009/10.

Following further consideration in February 2009 the Executive agreed proposals for non-domestic charging in 2009/10 as follows:

- unmeasured non-domestic payments will remain at 50% for 2009/10;
- the domestic water allowance will be retained for metered non-domestic customers; and
- non-domestic metered sewerage payments will be increased to the full charge and a domestic sewerage allowance introduced from 2009/10 for metered non-domestic customers.

## Cycle Lanes: Provision

**Mr Butler** asked the Minister for Regional Development how much his Department has spent on the provision of cycle lanes in the last 2 years. (AQW 8315/09)

**The Minister for Regional Development:** My Department's Roads Service's target for the provision of cycling measures, in both 2007/08 and 2008/09, was to provide 15km of new cycle lanes.

However, in 2007/08, 22.65km of cycle lanes were implemented across the North, at a cost of £1.06m, and in 2008/09, 30.72km of new cycle lanes were implemented at a cost of £1.36m.

### Pedestrian Crossings

**Mr Butler** asked the Minister for Regional Development if he will consider providing pedestrian crossings at the Poleglass roundabout in the Colin area. (AQW 8334/09)

**The Minister for Regional Development:** Requests for pedestrian crossings are assessed using established criteria relating to the number of pedestrians crossing the road and the volume of vehicles. This ensures that requests are dealt with fairly in a similar manner and the most deserving sites treated first.

I have asked my Department's Roads Service to survey the location. As traffic and pedestrian flows are generally lighter over the summer months, this survey will be scheduled for the autumn of this year. Mr Tom McCourt, Divisional Roads Manager for Eastern Division, will write to with the outcome of the survey, once the results have been analysed.

### Waste Water Sewage Plant in Dunmurry

**Mr Butler** asked the Minister for Regional Development whether funding has been secured for the new waste water sewage plant in Dunmurry; and when work will commence on upgrading the existing plant. (AQW 8335/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that a project for the upgrade of Dunmurry Wastewater Treatment Works is included in its current Strategic Business Plan with a scheduled commencement date of January 2010. Commencement of the project is subject to funding being available following the June 2009 Monitoring Round and the current price control review for the three year period to 31 March 2013 by the Northern Ireland Authority for Utility Regulation.

### NI Railways

**Mr G Robinson** asked the Minister for Regional Development if NI Railways has a preservation order on the signal box at Castlerock, if not, does it intend to obtain one. (AQW 8338/09)

**The Minister for Regional Development:** Translink have advised me that there is no preservation order on this signal box and there are no plans to obtain one.

### NI Railways

**Mr G Robinson** asked the Minister for Regional Development if NI Railways intends to fit GPS tracking devices to all its road vehicles, including staff cars. (AQW 8341/09)

**The Minister for Regional Development:** Translink have advised me that they do not intend to fit tracking devices to their road vehicles.

### Roads Service and Northern Ireland Water

**Mr Ross** asked the Minister for Regional Development to detail what work is planned to be carried out by Roads Service and Northern Ireland Water in the East Antrim constituency in (i) June; (ii) July; and (iii) August 2009. (AQW 8367/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the following works will be undertaken in the East Antrim Constituency during June, July and August 2009:

- resurfacing of Harbour Road, Carnlough;
- resurfacing of Ballyrickard Road, Larne;
- resurfacing of West Street, Ballycarry;
- resurfacing of Quay Street, Larne;
- resurfacing of The Roddens, Larne;
- surface dressing of Garron Road, Carnlough;
- surface dressing of Ballymena Road, Larne;



- surface dressing of Munie Road, Glenarm;
- surface dressing of Ballymullock Road, Larne;
- surface dressing of Portmuck Road, Islandmagee;
- surface dressing of Ballyvaddy Road, Glenarm;
- surface dressing of Branch Road, Larne;
- surface dressing of New Road, Glenarm;
- surface dressing of Mullaghsandall Road, Larne;
- surface dressing of Craiganee Road, Larne;
- collision remedial scheme at Main Road, Glynn;
- traffic calming – Glynn Village;
- pelican crossing enhancement scheme – Shore Road, Eden Village;
- replacement of street lighting – Dean Park, Castlemara Estate, Carrickfergus;
- repairs to sea wall – Rhanbuoy Park, Carrickfergus; and
- remedial works to correct minor road and sewer defects – Maritime area, Carrickfergus.

In addition to these works Roads Service will continue to carry out routine maintenance work on roads in the East Antrim constituency during June, July and August 2009.

NI Water has advised of the following works to be carried out in the East Antrim Constituency during June, July and August 2009:

- a. new and replacement watermain – Munie Road/Straidkilly, Larne;
- b. reservoir rehabilitation pre-inspection programme – Newtownabbey, Carrickfergus;
- c. reservoir rehabilitation – Kane's Hill, Larne;
- d. realignment of existing watermain, sewers and pumping main – A2 Shore Road, Carrickfergus;
- e. installation of pumps and control panel – Glenarm Sewage Pumping Station;
- f. completion of contract following installation of new foul sewer – Victoria Road, Ballyclare;
- g. replacement of overflow pipe – Joymount, Carrickfergus;
- h. cleaning and repairs to storm system – Manse Road, Camross Park, Merville Mews, Whitehouse, Carrickfergus; and
- i. foul and storm sewer extension – Antrim Road, Mallusk.

NI Water will also continue to undertake day-to-day maintenance and repair to the water and sewerage network in this constituency, as necessary.

### **Bus Shelters: Vandalism**

**Mr Butler** asked the Minister for Regional Development (i) what the cost of vandalism of bus shelters has been to his Department in the last 5 years; and (ii) how much has been spent on repairs following vandalism at bus shelters in the West Belfast constituency in the last 5 years. (AQW 8374/09)

**The Minister for Regional Development:** In January 2001, my Department's Roads Service and most District Councils, entered into a 15-year contract with Adshel (the bus shelter provider) for the provision of approximately 1500 bus shelters throughout various council areas across the North.

The provision and the maintenance of these shelters are funded by Adshel through advertising revenue and at no cost to the Department. The Department has no information on the costs incurred by Adshel in relation to the cost of vandalism of bus shelters, or how much was spent on repairs following vandalism at bus shelters in the West Belfast constituency in the last 5 years.

### M5 Motorway

**Mr K Robinson** asked the Minister for Regional Development, pursuant to AQW 7814/09, (i) when is the next major maintenance of the M5 scheduled for, given the current deterioration of the carriageway along significant sections; and (ii) will urgent repairs be undertaken in the interim to address the situation. (AQW 8426/09)

**The Minister for Regional Development:** As I advised the Member in my reply to Assembly Question, AQW 7814/09, my Department's Roads Service plan to resurface a total of 0.5 kilometres in each direction of the M5 this year, during overnight closures on 27 and 28 June 2009.

The M5 is subject to a daily safety patrol and a weekly safety inspection. Any defects identified as urgent will be repaired promptly, ensuring that the surface is maintained in a safe condition.

### Accessible Transport Strategy

**Mr Shannon** asked the Minister for Regional Development to consider the provision of audio visual information on buses, as the pilot was not undertaken in the Accessible Transport Strategy 2007-2008 work plan; and to confirm that his Department is fully committed to piloting audio-visual information. (AQW 8443/09)

**The Minister for Regional Development:** My Department will consider proposals for the introduction of an audio visual information pilot on buses. As I said in my answer to AQW 7881/09 and AQW 8159/09, the funding of any pilot will be dependent on the outcome of those considerations and availability of resources, including in light of other priorities, at that time. The Accessible Transport Strategy does not contain a commitment to run a pilot.

### Accessible Transport Strategy

**Mr Shannon** asked the Minister for Regional Development when the funding will be available for the pilot of audio visual information on buses, in line with the Accessible Transport Strategy. (AQW 8444/09)

**The Minister for Regional Development:** I refer the Member to the answer I gave to AQW 8159/09.

### Accessible Transport Strategy

**Mr Shannon** asked the Minister for Regional Development to outline how three applications submitted by Translink for funding have been mislaid, resulting in the further delay of the pilots under the Accessible Transport Strategy 2010-2020. (AQW 8445/09)

**The Minister for Regional Development:** As I said in my answer to AQW 7881/09 and AQW 8163/09 no application to fund an audio-visual pilot on buses has been mislaid.

### Ballylurgan Road and Craigstown Road: Roads Service Minor Works Scheme

**Mr T Clarke** asked the Minister for Regional Development to confirm when work will commence to provide visibility splays at the junction of the Ballylurgan Road and the Craigstown Road, given this work was in the Roads Service Minor Works scheme for 2008/09. (AQW 8451/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the work to provide visibility splays, at the junction of the Ballylurgan Road and the Craigstown Road, is programmed to commence during September 2009.

### Randalstown Drainage Area Scheme

**Mr T Clarke** asked the Minister for Regional Development, in relation to the Randalstown Drainage Area scheme (i) to outline the reasons for the delay; and (ii) when the work is expected to be completed and roads and footpaths reinstated. (AQW 8468/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that there was a small delay in work on the Randalstown Drainage Area scheme due to unforeseen circumstances encountered in the New Street area. In addition, while on site, NIW agreed to install new gulleys on behalf of Roads Service to provide storm alleviation.

Work on the main scheme is now substantially complete and the roads and footpaths have been reinstated. Only minor sewer and watermain connections to the main pipeline remain to be completed.

### **Lower Braniel Road, East Belfast**

**Lord Browne** asked the Minister for Regional Development what were the financial costs for the road calming measures on the lower Braniel Road in east Belfast. (AQW 8548/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it has spent some £29,500 on the traffic calming scheme carried out on the Lower Braniel Road in East Belfast. The work consisted of a series of road humps.

## **DEPARTMENT FOR SOCIAL DEVELOPMENT**

### **Bonuses paid to Senior Civil Servants**

**Mr McGlone** asked the Minister for Social Development how much was paid in bonuses to senior Civil Servants in her Department in the year 2008/09. (AQW 8200/09)

**The Minister for Social Development (Ms Ritchie):** Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Department for Social Development in respect of performance year 2008/2009 is not yet available. It is anticipated that this information will be available in the autumn. Non-consolidated bonus payments paid in the 2008/09 financial year in respect of the 2007/08 performance year amounted to £101,000 distributed to 13 recipients.

### **Social Housing Development Programme**

**Ms Ni Chuilín** asked the Minister for Social Development to detail why the draft Equality Impact Assessment for the Social Housing Development Programme - Strategic Guidelines did not go in front of the Social Development Committee. (AQW 8243/09)

**The Minister for Social Development:** In Spring 2008 the Housing Executive's Board approved new Strategic Guidelines for the Social Housing Development Programme. At the time the Housing Executive subjected the new Strategic Guidelines to a preliminary Equality Impact Assessment which indicated that the new Guidelines were robust, fair and equitable.

The Housing Executive also undertook to subject the Guidelines to the full, formal EQIA consultation process and this involved all of the Housing Executive's 200+ Equality statutory consultees which included representatives of all NI Political Parties. In the context of such inclusive consultation, direct consultation with the Committee did not take place at that time although since then the Housing Executive have briefed the Committee on the changes and will do so further on 2 July.

### **Housing Needs**

**Ms Ni Chuilín** asked the Minister for Social Development why the current policy of ring-fencing housing needs in north and west Belfast, and in Derry is being removed. (AQW 8245/09)

**The Minister for Social Development:** Ring Fencing was one of the mechanisms used for distributing the Social Housing Development Programme and directed scarce new social housing into areas of particularly acute

housing need. Beyond these designated areas the remainder of the Social Housing Development Programme has been distributed proportionately on the basis of the level of housing stress as evidenced by the waiting list.

Ring-fencing, did not however sufficiently recognise the huge growth in housing need which was dispersed and has since grown throughout Northern Ireland. The new Strategic Guidelines and subsequent end to ring-fencing will distribute the Social Housing Development Programme on the basis of an area's proportionate share of total housing stress and importantly, are also weighted to reflect the length of time applicants wait before being re-housed.

### Social Housing

**Ms Ní Chuilín** asked the Minister for Social Development to outline how the "Housing Needs Assessment Weighted by Waiting Time" method will ensure that religious differentials on the social housing waiting lists are addressed over the next five years. (AQW 8249/09)

**The Minister for Social Development:** The Equality Impact Assessment of the Strategic Guidelines for the Social Housing Development Programme identified that there was a differential impact in relation to religious backgrounds of those applicants on the waiting list.

To mitigate against this differential impact, the new approach to Housing Needs Assessment, weighted by waiting time, will ensure that those areas where applicants wait longer will receive a more proportionate share of the newbuild programme and should start to address the religious differentials identified in the Equality Impact Assessment. I will continue to monitor the impact of this approach in terms of impacts on social housing waiting lists.

### Social Housing

**Mr Butler** asked the Minister for Social Development (i) how many NIHE social housing units currently use Economy 7; (ii) the location of where Economy 7 heating is currently used in NIHE social housing units by (a) electoral wards (b) super output area and (c) common landlord area; and (iii) where Economy 7 has been removed from NIHE social housing units since 1998 by (a) electoral wards (b) super output area and (c) common landlord area. (AQW 8313/09)

**The Minister for Social Development:** The information is not available in the form requested. The Housing Executive does not collate information regarding heating types within its properties by the geographical areas requested.

The Northern Ireland Housing Executive currently has 10,654 occupied social housing dwellings with Economy 7 electrical heating systems as set out in the table below, by Housing Executive District Office area:

District Office	Dwellings with Economy 7	District Office	Dwellings with Economy 7	District Office	Dwellings with Economy 7
East Belfast	451	Newtownabbey 1	360	Lisburn Antrim	626
North Belfast	823	Newtownabbey 2	297	Lisburn Dairyfarm	37
Shankill	272	Armagh	181	Newtownards	419
South Belfast	395	Banbridge	111	Collon Terrace	334
West Belfast	469	Dungannon	105	Cookstown	57
Antrim	383	Fermanagh	142	Limavady	146
Ballycastle	9	Lurgan Brownlow	499	Magherafelt	53
Ballymena	490	Newry	271	Omagh	80
Ballymoney	90	Portadown	310	Strabane	20
Carrickfergus	150	Bangor	499	Waterloo Place	263
Coleraine	504	Castlereagh	1063	Waterside	237
Larne	166	Downpatrick	342		



### Warm Homes Scheme

**Mr Shannon** asked the Minister for Social Development (i) for an update on the Eaga warm homes scheme; and (ii) who will take over the current scheme and when this will happen. (AQW 8318/09)

**The Minister for Social Development:** The Northern Ireland Housing Executive was responsible for procuring new Scheme Managers as the contract with Eaga to manage the Warm Homes Scheme ended on 31 March 2009. During April and May, while the tender process was under way, Eaga undertook transitional arrangements to ensure that any home with no central heating, solid fuel or Economy 7 or a system which had broken down beyond repair was assisted with heating measures.

Applicants for the new Warm Homes Scheme contract have been interviewed and notification letters to successful and unsuccessful applicants have issued. Section 32 of the Public Contracts Regulations 2006 requires a contracting authority to inform all Tenderers of its decision to award and allow a period to elapse prior to awarding the contract(s). We are now in a 15 day “Alcatel” period in which unsuccessful applicants can appeal the decision. Subject to no judicial interruption the names of the new Warm Homes Scheme Managers will be announced shortly.

Once the Warm Homes Scheme contracts have been signed the details of those on the Warm Homes waiting list will be passed to the new Scheme Managers. The remaining Warm Homes Plus referrals have functioning heating systems; albeit they may be inefficient, they are still working and people are welcome to apply to the new scheme if they believe they satisfy the qualifying criteria.

### Rent Arrears

**Mr Butler** asked the Minister for Social Development to detail the amount of rent arrears debt the Housing Executive has written off in each of the last two financial years. (AQW 8320/09)

**The Minister for Social Development:** The amount of arrears written off for the last two years is:-

2007/08	-	£1,310,000
2008/09	-	£1,151,000

### Social Security Agency

**Mr O’Loan** asked the Minister for Social Development to outline the Social Security Agency’s policy in determining the employment location of newly appointed staff. (AQW 8322/09)

**The Minister for Social Development:** The Northern Ireland Civil Service Vacancy Management Policy sets out the procedures for filling vacancies in the Social Security Agency. When the decision has been made to fill the vacancy from an external recruitment list, candidates are allocated to posts in merit order. For the majority of new staff, the placement is normally in the Greater Belfast area, where the Agency has the greatest number of vacancies.

### Social Security Agency

**Mr O’Loan** asked the Minister for Social Development if the place of residence of new employees of the Social Security Agency is taken into consideration when determining their location of employment, and if the nearest and most convenient location where there is a vacancy is offered. (AQW 8323/09)

**The Minister for Social Development:** I refer the member to my previous answer to AQW 8322/09. Where there are business reasons to recruit staff to locations other than Greater Belfast, the Social Security Agency would, within the overarching merit principle approach, when filling the vacancy take into consideration the place of residence of the new employee and where possible offer the nearest and most convenient location.

### Social Security Agency

**Mr O'Loan** asked the Minister for Social Development if the preference of new employees of the Social Security Agency is taken into account when determining their location of employment and if there is any discussion with newly recruited staff on this issue. (AQW 8324/09)

**The Minister for Social Development:** I refer the member to my previous answers to AQW 8322/09 and AQW 8323/09. The Social Security Agency does not take into account the preference of new employees when determining their location of employment and does not enter into discussion with newly recruited staff on this issue.

### Social Security Agency

**Mr O'Loan** asked the Minister for Social Development if the availability of public transport is taken into consideration in determining the location of employment of newly recruited staff to the Social Security Agency. (AQW 8325/09)

**The Minister for Social Development:** I refer the member to my previous answer to AQW 8322/09. The Social Security Agency does not take into account the availability of public transport in determining the location of employment of newly recruited staff to the Social Security Agency.

### Social Security Agency

**Mr O'Loan** asked the Minister for Social Development to detail the principles affecting the workplace of staff which she outlined in her response to the Strategic Business Review of the Social Security Agency and if she can confirm that the same principles are taken into consideration in determining the place of employment of newly recruited staff. (AQW 8326/09)

**The Minister for Social Development:** The principles underpinning the movement of existing staff are as outlined in the Northern Ireland Civil Service HR Handbook. If, following public consultation, I approve the revised Strategic Business Review proposals for implementation, these principles will apply and the precise arrangements thereafter will be a matter for consultation with Agency Trade Union Side.

I refer the member to my previous answer to AQW 8322/09 with regard to the policy in determining the employment location of newly recruited staff.

### Housing Executive Homes in Crumlin

**Mr Burns** asked the Minister for Social Development how many Housing Executive homes in Crumlin and the immediate vicinity that have been allocated to individuals from outside the Housing Executive Antrim District Area in each of the last five years. (AQW 8343/09)

**The Minister for Social Development:** The number of Housing Executive homes in the Crumlin area that have been allocated to applicants from outside the Housing Executive Antrim District Area in each of the last five years is as follows:

2004/05	Nil
2005/06	Nil
2006/07	1
2007/08	2
2008/09	1

### Apartment Blocks

**Mr Ross** asked the Minister for Social Development if she proposes to introduce legislation to deal with management companies set up to manage apartment blocks. (AQW 8365/09)

**The Minister for Social Development:** I have no plans to introduce legislation to deal with management companies set up to manage apartment blocks.

### Voluntary and Community Sector

**Mr Hamilton** asked the Minister for Social Development if, and when, she intends to host a summit to discuss the impact of the recession on voluntary and community organisations. (AQW 8368/09)

**The Minister for Social Development:** As Minister with lead responsibility for the voluntary and community sector, I regularly meet with representatives from voluntary and community organisations hearing their concerns at first hand. On 29 April I addressed a meeting of the Joint Government / Voluntary and Community Sector Forum which focused on the impact of the recession on the sector. These meetings will continue.

### Housing Executive Homes in Monkstown Estate

**Mr Ross** asked the Minister for Social Development to detail the maintenance work planned for Housing Executive houses in the Monkstown Estate in the next four months. (AQW 8371/09)

**The Minister for Social Development:** It is anticipated that the External Cyclic Maintenance Scheme in Monkstown/Glenvarna will commence on site in autumn 2009. There are 353 dwellings included in the scheme which has an estimated value of £734k.

### Renovation Grants

**Mr Elliott** asked the Minister for Social Development, in light of the current freeze on renovation grants, will the Housing Executive ensure that applicants, architects and any other agents employed are speedily reimbursed for expenses incurred in preparing the now frozen applications. (AQW 8372/09)

**The Minister for Social Development:** There is no statutory provision to enable the Housing Executive to recompense expenses incurred by applicants for architect and other fees associated with these grant applications as the relevant legislation is quite specific that such fees are only recoverable if the grant is approved and the works are satisfactorily completed. However, I am very conscious of the difficulties, and will be having a further look at this issue.

### Gas Appliances

**Mr Butler** asked the Minister for Social Development to detail the number of complaints the Housing Executive has dealt with about faulty gas appliances in the last two years. (AQW 8376/09)

**The Minister for Social Development:** The number of referrals relating to gas appliances completed by the Housing Executive for the period 1 April 2007 to 31 March 2009 was 35,785. However many of these relate to issues involving inappropriate operation of the system which do not require repair works - for example where the meter is empty. The Housing Executive is unable to disaggregate these figures.

### Monkstown Estate

**Mr Ross** asked the Minister for Social Development when all social housing in the Monkstown Estate will be offered double glazed windows. (AQW 8389/09)

**The Minister for Social Development:** Many of the dwellings within the Monkstown Estate have had double glazed windows installed since the mid 1990s through the Housing Executive's ongoing programme

of maintenance and improvement schemes. The Monkstown/Glenvarna External Cyclic Maintenance scheme which is scheduled to commence in autumn 2009 will involve some window replacement where required. Those windows identified for replacement through a physical survey will be replaced with double glazed units.

### Housing Executive Grant Aided Works

**Mr Irwin** asked the Minister for Social Development, pursuant to AQW8193/09, to detail how many of the 26 grants in Armagh and 75 grants in Newry and Mourne at the documents complete stage, have been successful and are awaiting payment of grant aid from the Housing Executive. (AQW 8398/09)

**The Minister for Social Development:** The Housing Executive has been unable to approve any of these applications. However all of the cases are being reviewed to determine if any exceptional circumstances exist and if this is the case then a grant can be approved. The economic downturn has had a severe impact on local housing and on housing funding, and money which had previously funded the Private Sector Grants Scheme is no longer available. The Housing Executive's focus is to prioritise resources to those people and places in greatest need.

### Environmental Improvement Schemes

**Mr Butler** asked the Minister for Social Development to detail the amount spent by the Housing Executive on housing and environmental improvement schemes in the Dairyfarm district in the last 5 financial years. (AQW 8430/09)

**The Minister for Social Development:** During the period in question within the Dairyfarm District Office area, the Housing Executive spent some £10.9m through planned schemes, carrying out improvements to more than 1500 dwellings and the general environment through 21 schemes.

### Voluntary and Community Sector

**Ms Purvis** asked the Minister for Social Development if she plans to meet representatives from the voluntary and community sector to discuss the negative impacts the recession will have on these organisations in the coming financial year. (AQW 8432/09)

**The Minister for Social Development:** As Minister with lead responsibility for the voluntary and community sector I regularly meet with representatives from the sector and hear of their concerns regarding the current recession. That will continue in the future.

### Egan Contracts: Maintenance and Replacement Schemes

**Ms Ní Chuilín** asked the Minister for Social Development to confirm how many front-line jobs will be under threat due to her Department's lack of investment in maintenance and replacement schemes through various Egan contracts. (AQW 8449/09)

**The Minister for Social Development:** The Housing Executive has been reviewing all of its services in order to deliver the 5% efficiency saving in running costs required under the Comprehensive Spending Review 2007. The introduction of Egan contracts has allowed the Housing Executive to restructure and secure staff savings over the past year. It is too early to determine if further savings will be required based on the 2009/10 budget.

The Egan contracts themselves were signed in 2008 with the economic downturn well underway. It is not known what staffing levels the various contractors had at that time and therefore difficult to assess the impact on employment of the quantity of Egan work being less than that anticipated by the contractors. The Egan contracts do attract a sizeable share of the Housing Executive's Maintenance Budget, which was some £127 million in 2009/10.

### Royal Exchange Project

**Ms Ní Chuilín** asked the Minister for Social Development to confirm that, if the Royal Exchange Project is not completed, she will argue for the unused money to be re-allocated to social housing. (AQW 8450/09)



**The Minister for Social Development:** It is not the case that the Royal Exchange Project will not be completed. Due to a sharp reduction in Housing Executive capital receipts, there is a £100m shortfall in the housing budget. Where there are budget easements that can be reallocated, I will be seeking to reallocate them to priority areas in housing.

### **Duneane Crescent, Toomebridge**

**Mr T Clarke** asked the Minister for Social Development when finance will be made available to start the multi-element scheme in Duneane Crescent, Toomebridge. (AQW 8467/09)

**The Minister for Social Development:** The Housing Executive recently reviewed its programme of planned improvement schemes and is unable to confirm when this work will commence. The delivery of their programmes of activity is dependent on obtaining appropriate approvals and the availability of finance. There is currently a £100m shortfall in the Housing Budget and this inevitably impacts on a wide range of planned projects and programmes.

### **Women's Centres Regional Partnership**

**Mr Weir** asked the Minister for Social Development whether the evaluation report on the Women's Centres Regional Partnership has been completed. (AQW 8483/09)

**The Minister for Social Development:** The evaluation report on the Women's Centres Regional Partnership to measure the impact of the Department's Regional Infrastructure Programme funding for the period April 2006 to March 2009 was completed in January 2009.

### **Women's Centres Regional Partnership**

**Mr Weir** asked the Minister for Social Development if the evaluation report on the Women's Centres Regional Partnership will be made public. (AQW 8484/09)

**The Minister for Social Development:** It is not standard practice to publish evaluations of individual projects funded by the Department, however, a copy of the evaluation report of the Women's Centres Regional Partnership for the period of funding April 2006 to March 2009 would be made available on request to staff in the Department's Voluntary and Community Unit.

### **Housing Executive's Decent Homes Expenditure**

**Mr Shannon** asked the Minister for Social Development for her assessment of the impact on the small and medium sized businesses affected by the reduction of the Housing Executive's decent homes expenditure. (AQW 8616/09)

**The Minister for Social Development:** Funding for the Housing Executive's implementation of decent homes has reduced as due to the downturn in land and house sales, there is a £100 million shortfall in the Housing Budget for 2009/10 which will impact on all spending programmes. My priority must be to protect vulnerable households. I have therefore protected the budgets for:

- i. Warm Homes – to help households facing fuel poverty;
- ii. Supporting People – to help people live independently in the community rather than in institutions; and
- iii. the newbuild programme – to help those in acute housing stress and the homeless.

In addition, current market conditions are more suited than ever before to increase investment in social housing, to stimulate the economy, protect jobs in the overall construction industry and help the most vulnerable in this society by providing them with a home.



# NORTHERN IRELAND ASSEMBLY

Friday 3 July 2009

## Written Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Executive Information Service

**Mr Dallat** asked the Office of the First Minister and deputy First Minister what the total cost of the Executive Information Service was, in each of the last four financial years. (AQW 6917/09)

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** The Executive Information Service (EIS) is a corporate organisation which provides a range of communication services across the 11 Government departments.

It is not possible to provide a disaggregated figure for the operational costs for the Executive Information Service because of its cross departmental structure and finance systems. Each department retains their own salary budget and the figures provided below relate to inclusive salary costs for each of the last 4 years for all 11 departments.

2008/09	2007/08	2006/07	2005/06
£3,172,147.94	£3,021,957.41	£2,402,319.29	£2,132,992.53

#### Executive Information Service

**Mr Dallat** asked the Office of the First Minister and deputy First Minister how many staff have been employed in the Executive Information Service, in each of the last five years. (AQW 6918/09)

**The First Minister and deputy First Minister:** The Executive Information Service (EIS) is a corporate organisation which provides a range of communication services across the 11 Government departments.

The figures provided below relate to the total number of staff employed in each of the 11 departments.

1 April	2009	2008	2007	2006	2005
Number of Staff in Post	92	97	68	67	55

#### Conflict Transformation Centre

**Mrs D Kelly** asked the Office of the First Minister and deputy First Minister when the cross-party working group for the Conflict Transformation Centre at the Maze site will be established. (AQW 7773/09)

**The First Minister and deputy First Minister:** In the Assembly on 21 April 2009 the deputy First Minister said that the Junior Ministers would chair an inter-departmental working group to take forward the full recommendations in the Barosso Report. No specific cross-party working group has been set up in relation to conflict transformation. We would refer the Member to the statement we made on 8 April 2009.

### Bonuses Paid to the Head of the Civil Service

**Mr McGlone** asked the Office of the First Minister and deputy First Minister how much was paid in bonuses to the Head of the Northern Ireland Civil Service in each of the last five years. (AQW 8124/09)

**The First Minister and deputy First Minister:** Combined salary and bonus information for the Head of the Northern Ireland Civil Service is currently provided through Resource Accounts in £5k bands, available from [www.ofmdfmi.gov.uk](http://www.ofmdfmi.gov.uk). It is our policy not to disclose the remuneration details of individual civil servants, other than in broad terms.

### Creggan Pre-School Training Trust

**Mr Durkan** asked the Office of the First Minister and deputy First Minister for an update on discussions in respect of Creggan Pre-School Training Trust at the Ministerial Sub-Committee on Children and Young People. (AQW 8294/09)

**The First Minister and deputy First Minister:** In the Junior Ministers' letter to you dated 4 February 2009, you were advised that the Ministerial Sub-Committee on Children and Young People does not deal with individual funding cases. Consequently there have been no discussions at its meetings regarding Creggan Pre-School Training Trust. However, the Sub-Committee is currently working on proposals around long-term child care provision and the paper is due to be considered shortly.

### Peace III Funding

**Mr Gardiner** asked the First Minister and deputy First Minister what projects they are currently considering under Peace III funding in respect of (i) Priority 1.1 – Building Positive Relationships at the local level; (ii) Priority 1.2 – Acknowledging and dealing with the past; (iii) and Priority 2.2 - Key institutional capacities are developed for a shared society. (AQW 8349/09)

**The First Minister and deputy First Minister:** The Department is not currently considering any projects under PEACE III in respect of Priorities 1.1, 1.2 and 2.2. Giving consideration to applications is the role of SEUPB, exercised through the Selection Committees process for each Priority. As an Accountable Department, OFMDFM is represented on the Selection Committees.

### Peace III Funding

**Mr Shannon** asked the First Minister and deputy First Minister to detail the funding available to each constituency through the latest tranche of Peace III funding. (AQW 8400/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister does not hold any information on funding made available to each constituency for PEACE III funding.

We suggest that you direct your inquiry to the Special EU Programmes Body who hold this information.

### Maze/Long Kesh Site

**Mr Elliott** asked the First Minister and deputy First Minister, following the decision not to proceed with the original plan, to outline what options are being considered for the Maze/Long Kesh site. (AQW 8457/09)

**The First Minister and deputy First Minister:** As we outlined in our announcement of 8 April 2009, a Development Corporation will take forward the regeneration of Maze/Long Kesh, building on the work previously undertaken by OFMDFM and the All-Party Maze/Long Kesh Consultation Panel, and having regard to all the elements of the site including any listed buildings; the aim being to maximise the economic, historical and reconciliation potential of the site.

We are currently examining the policy and legislative framework necessary to set up and empower a



Development Corporation to drive forward the regeneration work. Proposals for the development of this site of regional significance will be brought forward as soon as possible.

### Marine Issues

**Mr Durkan** asked the First Minister and deputy First Minister if they will provide details of (i) the number of staff, and their relevant grade, in their Department who have responsibility for marine issues, and (ii) the annual total cost of marine-specific work to the Department. (AQW 8459/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister has no responsibility for marine issues therefore (i) no staff have responsibility for marine issues and (ii) annual total cost of marine-specific work to the Department is nil.

### Childcare Provision

**Mrs M Bradley** asked the First Minister and deputy First Minister to provide an update on (i) the report on childcare provision which is being completed by the child poverty sub group of the Ministerial Sub-Committee on Children and Young People (ii) the time-scale for the publication of a draft childcare strategy for public consultation and how it will link with the Department of Education's 0-6 Early Years Strategy and (iii) arrangements for consultation with the children's sector and other sectors. (AQW 8536/09)

**The First Minister and deputy First Minister:** A report on childcare provision was presented to the Ministerial Sub-Committee on Children and Young People on 18th June. Ministers discussed the report and asked for further work to be taken forward through an economic appraisal of a range of strategic options. This will form the basis of a draft childcare strategy which will be subject to public consultation. It is expected that the economic appraisal work will be completed by the end of 2009. The publication of a draft childcare strategy is dependent on the outcome of the economic appraisal and Ministerial agreement but the strategy will of course take into consideration the Department of Education's 0-6 Early Years Strategy. In terms of consultation arrangements with the children's sector and other sectors it is intended to seek the views of as wide a range of people as possible. This will include parents, children, professionals and representative groups from both the public and private sectors.

### Holocaust Education Trust

**Mr Durkan** asked the First Minister and deputy First Minister if they are encouraging the relevant Ministers to provide appropriate funding, including money received under the Barnett formula for the Holocaust Education Trust project, to ensure schools will participate in the Holocaust Education Trust "Lessons from Auschwitz" Project. (AQW 8581/09)

**The First Minister and deputy First Minister:** Additional Barnett consequential funding is not assigned to specific purposes. Funding to assist schools to participate in the "Lessons from Auschwitz" Project is a matter for the Department of Education. It is for the Department of Education to determine how its budget allocation is spent and to bid for additional resources if required.

### Planning Appeals Commission

**Mr Shannon** asked the First Minister and deputy First Minister what steps they are taking to meet, and improve on, their targets for appeals to the Planning Appeals Commission. (AQW 8593/09)

**The First Minister and deputy First Minister:** The Planning Appeals Commission is an independent tribunal Non-Departmental Public Body. Given its independent tribunal status, its Chief Commissioner has been asked to provide a response directly to you, and we understand that she has written to you in the following terms:

"I have been asked to provide you with information requested in the above Assembly Question.

I explained the position about the workload and performance of the Planning Appeals Commission at the launch of my Annual Report on Friday the 19th June 2009. That report and the Commission's Business and Corporate Plans 2009-2012 are now published on the website [www.pacni.gov.uk](http://www.pacni.gov.uk).

The commitment of Commissioner resources to work referred by the Department of the Environment (draft Development Plans and Major proposals) combined with a sharp and prolonged increase in the number of appeals submitted over a three-year period from 2005-2008 has made it impossible for the Commission to achieve its targets for deciding appeals. At 31st May 2009 the Commission had reduced its historic backlog of appeals from 2,834 to 1,431. In 2008/09 the Commission increased the number of decisions made to 1,411, an increase of 32% from 2007/08. If the current trends continue, the Commission aims to reduce the backlog substantially in the current year. An improvement in clearance targets will only be realised whenever the historic backlog has been cleared.

Fourteen Panel Commissioners were appointed in late 2008 to help address the workload pressures. Their actions will eventually have a positive impact by clearing the backlog and as a consequence reducing the time taken by the Commission to decide all appeals.

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."

### **Cross-Departmental Working Group on Childcare**

**Mrs Long** asked the First Minister and deputy First Minister if recent meetings of the cross departmental working group on childcare have resolved the dispute between Departments regarding school age child care. (AQW 8635/09)

**The First Minister and deputy First Minister:** The report produced by the cross-departmental group on childcare reviewed the economic and social benefits of childcare along with changing policy positions of departments as these have evolved over time. The report found that an integrated platform of care and education delivery was an effective context in which childcare is provided. The strategic options for the future delivery of childcare will depend on the outcome of an economic appraisal and consultation process following which Ministers will take decisions regarding the most appropriate way forward. This report was presented to the Ministerial Sub-Committee on Children and Young People on 18th June.

Ministers discussed the report and asked for further work to be taken forward through an economic appraisal of a range of strategic options. This will form the basis of a draft childcare strategy which will be subject to public consultation. It is expected that the economic appraisal work will be completed by the end of 2009 and that decisions will be made on the way forward including departmental responsibility.

### **Primary Legislation Programme 2009-2010**

**Mr Cobain** asked the First Minister and deputy First Minister to outline the Executive's primary legislation programme for 2009-10. (AQO 3058/09)

**The First Minister and deputy First Minister:** From restoration in May 2007 to the end of the 2007-08 session, the Executive brought forward 22 Bills to the Assembly, and during this current session, Ministers have introduced 10 Bills. This is in addition to 14 Legislative Consent motions for which Ministers have sought Assembly approval over both periods. Departments have published over 500 pieces of subordinate legislation annually.

In relation to future legislation we are actively considering with other Departments their Legislative intentions to the end of this Assembly's current mandate. We intend to agree with the Executive a schedule of legislative proposals and while this work has not yet been completed it already appears that there is a potentially significant volume of legislation in development for which we will be seeking the Assembly's full co-operation to deliver.

### **Policing and Justice Powers**

**Mr P Ramsey** asked the First Minister and deputy First Minister what, if any, impediments exist to devolving policing and justice powers. (AQO 3059/09)

**The First Minister and deputy First Minister:** On 18 November last year we set out a process which would enable policing and justice responsibilities to be devolved without undue delay. Many of the essential steps identified at that time have now been achieved.

On 20 January 2009, the Assembly approved a report from its Assembly and Executive Review Committee on the arrangements for the devolution of policing and justice matters. It endorsed our view that there should be a single justice department with a single Minister elected by the Assembly. The Committee is currently working on a second report dealing with a range of other issues, including financial provisions, which need to be resolved pre-devolution.

Legislation has been enacted at Westminster to make the necessary legislative changes arising from our decisions announced on 18 November 2008 and the January report of the Assembly and Executive Review Committee. The Secretary of State subsequently made an order to increase the maximum permitted number of ministerial offices to accommodate a new Minister for Justice.

For several months our officials and those of the Department of Finance and Personnel have been engaged in discussions to establish the financial implications of devolution with Whitehall departments, the NIO, the Court Service and frontline justice and policing agencies.

We remain determined to work faithfully through the remaining steps identified in November.

### **Cohesion, Sharing and Integration Strategy**

**Ms Lo** asked the First Minister and deputy First Minister whether they will make the publication of the Cohesion, Sharing and Integration Strategy a priority, following the racist attacks in Belfast. (AQO 3060/09)

**The First Minister and deputy First Minister:** We are appalled by the deplorable racist attacks on Romanian families in the South and East Belfast areas within the past two weeks, and indeed other recent racist and sectarian attacks.

These are unacceptable acts on men, women and young children who came here to build a new future for themselves. This incident has done major damage to our reputation and our efforts to build a shared and better future for everyone.

We have consistently stated that migrant workers are bringing very real benefits both to our society and our economy. We welcome and support those who have come to live and work here and we utterly condemn hate crime and discrimination of any kind.

It must be remembered that these are the actions of a few; most people were appalled, and many acted to support these families.

A range of groups we fund in Belfast, and local community representatives, are working to prevent more attacks of this kind and to support the unfortunate victims.

We are fully committed to building a cohesive, shared and integrated society for all. We want to ensure that newcomers to our shores are welcomed into communities which are not divided, separate or unequal, whilst at the same time addressing the challenges that face new and host communities.

We are on record as stating that we are finalising proposals for a draft Programme of Cohesion, Sharing and Integration. That Programme must, and will, tackle the challenges which local communities are facing. It will set a framework to tackle the kind of racism, sectarianism and other prejudices which we have seen recently.

We hear the calls for us to conclude the preparation of our policy proposals.

However, a framework alone is not enough. It requires the efforts of us all, that includes everyone in this house, to stand up to reject the behaviours and prejudices which underpin these actions.

We can reassure communities, particularly the most vulnerable, that whilst we liaise with the Assembly Committee, the work of challenging sectarianism, racism and all forms of intolerance is continuing with our active support.

### Capital Realisation Task Force

**Mr Hamilton** asked the First Minister and deputy First Minister when they expect to receive the next report from the Capital Realisation Taskforce. (AQO 3061/09)

**The First Minister and deputy First Minister:** We expect to receive a report on the Review of the Capital Realisations Taskforce during July. The Review is being carried out by Ed Vernon, who led the original Taskforce, to review and update his recommendations in the light of the substantial changes that have taken place in the land and property markets since he presented his original report to the Executive in December 2007.

### Cohesion, Sharing and Integration Strategy

**Mr Dallat** asked the First Minister and deputy First Minister, in light of recent high profile racist and sectarian incidents, to provide a definitive date for the publication of the Cohesion, Sharing and Integration Strategy for combating sectarianism and racism. (AQO 3062/09)

**The First Minister and deputy First Minister:** We are appalled by the deplorable racist attacks on Romanian families in the South and East Belfast areas within the past two weeks, and indeed other recent racist and sectarian attacks.

These are unacceptable acts on men, women and young children who came here to build a new future for themselves. This incident has done major damage to our reputation and our efforts to build a shared and better future for everyone.

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We can reassure communities, particularly the most vulnerable, that whilst we liaise with the Assembly Committee, the work of challenging sectarianism, racism and all forms of intolerance is continuing with our active support.

### Presbyterian Mutual Society

**Mr Kennedy** asked the First Minister and deputy First Minister to outline the range of options being discussed with HM Treasury and the Prime Minister to deal with the situation facing Presbyterian Mutual Society savers. (AQO 3063/09)

**The First Minister and deputy First Minister:** We share your concerns regarding the safeguarding of depositor and member funds at the Presbyterian Mutual Society and met with Prime Minister Gordon Brown in London on 17 June to seek an early resolution of this situation and to bring some comfort to members of the PMS.

At the meeting, Prime Minister Gordon Brown agreed to set up a working group with representatives from HM Treasury, Department of Finance and Personnel and Department of Enterprise, Trade and Investment to reach a



solution. It will be the work of this group to consider options available and to bring forward proposals to deal with the situation facing PMS savers. We are waiting on the outcome of this group which is expected by September.

### **Racism**

**Mr Hilditch** asked the First Minister and deputy First Minister for an assessment of the work that local district councils undertake to combat racism. (AQO 3064/09)

**The First Minister and deputy First Minister:** Through the District Councils Good Relations Programme, Councils offer a range of programmes covering both racist and sectarian initiatives. All good relations programmes are predicated on local good relations audits which are updated biennially. Funding decisions under the good relations programme are based on the relevance of the plans to the issues identified in the audits and ongoing assessment of the work is achieved by the provision of quarterly progress reports and annual reports by Councils.

### **Strategic Investment Board: Non-Executive Directors**

**Mr McLaughlin** asked the First Minister and deputy First Minister when additional non-Executive Directors will be appointed to the Strategic Investment Board. (AQO 3065/09)

**The First Minister and deputy First Minister:** We are currently considering the outcome of a competition to appoint a number of non-executive directors to the Strategic Investment Board.

## **DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

### **Fishing Quota**

**Mr G Robinson** asked the Minister of Agriculture and Rural Development to outline her plans for negotiating an increase in the fishing quota. (AQW 8378/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Work is already in hand for this years December Fisheries Council at which fishing opportunities, including quotas for 2010/11 will be agreed. On 12 May the Commission published its policy document setting out how it would decide the Total Allowable Catches for each fish stock based on scientific advice. I met with my English, Scottish and Welsh Colleagues on 17 June, and our initial views on this document were discussed. We will meet regularly between now and December to develop our negotiating position and we will also meet with the Commission. I and my officials will continue to meet with local industry representatives on a regular basis to develop our own priorities on fishing opportunities, through the Fisheries Forum and other meetings.

The scientific advice for most of the TACs important to our fleet will be available at the end of June /early July and we will be able to assess the likely recommendations on TACs at that stage. I will argue for the maintenance or increase of fish stocks that are of interest to our fleet where this is sustainable and supported by scientific evidence. My key priority will be to ensure that the Nephrops (prawn) TAC is maintained at a level that sustains the stock and the activity of our catching and processing sectors. Prawns account for the majority of the fish landed by our fleet.

The rules for setting the cod TAC are contained in the new Cod Recovery Plan introduced last year. We can expect the Commission to propose further significant cuts in this TAC as the state of the stock in the Irish Sea shows no sign of improvement. I shall argue for this TAC to be set at a level that that does not affect the activity of the prawn fleet that needs some quota to cover its small by-catch of cod.

### **Comber Potatoes**

**Mr Shannon** asked the Minister of Agriculture and Rural Development for an update on the application for Comber Potatoes to be registered as a description; and to confirm if it has now been permitted. (AQW 8402/09)

**The Minister of Agriculture and Rural Development:** The NI Potato Stakeholder Forum's application to register "Comber Potatoes" under the EU Protected Food names Scheme is still currently being developed in conjunction with Ards Borough Council and the growers. The application process can be quite a lengthy and complicated process to ensure that there is agreement across the industry.

On receipt of an agreed application the Department would be in a position to issue the required 12 week national consultation. Following this, the application would be forwarded to DEFRA, as the competent authority, before being submitted to the EC.

The EC can take at least 18 months to consider, approve and register the product under the scheme.

### Tuberculosis

**Mr Elliott** asked the Minister of Agriculture and Rural Development if she has any plans to inoculate badgers against tuberculosis. (AQW 8411/09)

**The Minister of Agriculture and Rural Development:** Currently, I have no plans to inoculate badgers against tuberculosis.

While I recognise that badger vaccination may be the most feasible wildlife factor element in the long-term in the eradication of bovine tuberculosis, it could be some time before an effective vaccine for badgers becomes available.

My Department will continue to keep in contact with the work that is on-going in Britain and in the south of Ireland to develop a badger vaccine.

We will continue to explore how best we can contribute to this work.

### Single Farm Payments

**Mr Elliott** asked the Minister of Agriculture and Rural Development what percentage of claims for single farm payments made in 2008 have not yet been settled. (AQW 8412/09)

**The Minister of Agriculture and Rural Development:** At 17 June 2009, 1.85% of the claims submitted to the 2008 Single Farm Payment Scheme were not finalised.

### Food Exports: UK Status on

**Mr Elliott** asked the Minister of Agriculture and Rural Development to outline the reasons why she has called for the removal of UK status on food exports. (AQW 8413/09)

**The Minister of Agriculture and Rural Development:** I have already explained the rationale for this during Oral Question Time in the Assembly sitting on Monday 15th June. I believe that we need to maximise the potential of selling our produce on the world stage with a clear Clean Green label, associating our produce with a positive disease free status.

You will also wish to note that under Council Regulations 1760/2000 and 21/2004, the identification code on cattle and sheep ear tags must begin with the letters identifying the Member State of origin in accordance with the country codes laid down by the International Standards Organisation.

However, as the concept of regionalisation is well established by the EU Commission, I intend to press the case for regionalisation on this issue.

### Food Exports: UK Status on

**Mr Elliott** asked the Minister of Agriculture and Rural Development if she was acting in her Ministerial capacity when she called for the removal of UK status on exported food. (AQW 8428/09)

**The Minister of Agriculture and Rural Development:** My initial statement on this matter was issued through a party Press Release. Subsequently I expressed my view and rationale for this position as Minister

during Question Time in the Assembly sitting on Monday, 15 June 2009 and I do believe this issue merits further consideration.

### Marine Issues

**Mr Durkan** asked the Minister of Agriculture and Rural Development if she will provide details of (i) the number of staff, and their relevant grade, in her Department who have responsibility for marine issues, and (ii) the annual total cost of marine-specific work to the Department. (AQW 8463/09)

**The Minister of Agriculture and Rural Development:**

- (i) The following staff have responsibility/part responsibility for marine issues in Department of Agriculture and Rural Development.

Grade	Number with responsibility for Marine issues
Director (G5)	0.75
Principal Officer (G7)	1.2
Deputy Principal	3
Staff Officer	3.8
Executive Officer 1	3.8
Executive Officer 2	2.75
Administrative Officer	2.4
Administrative Assistant	1
Typist	0.5
Chief Fisheries Officer	0.9
Deputy Chief Fisheries Officer	0.9
Senior Fishery Officer	2
Fishery Officer 1	5
Fishery Officer 2	7

- (ii) The annual total cost of marine specific work to the Department for 2008/09 is £4,216,904. This is broken down by costs directly incurred by Fisheries Division of the Department of Agriculture and Rural Development and work undertaken by the Agri- Food Biosciences Institute in support of DARD fisheries policy objectives.

**FISHERIES DIVISION**

Area	Cost
Average Staff Costs	£1,169,054
Travel Costs	£66,350
Enforcement costs	£127,867
Consultations	£656
Research	£401,340
<b>Total</b>	<b>£1,765,267</b>

**AGRI- FOOD BIOSCIENCES INSTITUTE**

Area	Cost
Average Staff Costs	£1,169,752

Area	Cost
Non staff Costs	£481,885
Research vessel grant in aid	£800,000
<b>Total</b>	<b>£2,451,637</b>

### Apple Industry

**Mr Shannon** asked the Minister of Agriculture and Rural Development what help her Department is giving to the apple industry in (i) advice; (ii) financial assistance; and (iii) advertising and promotion. (AQW 8588/09)

#### The Minister of Agriculture and Rural Development:

- (i) CAFRE staff work closely with the apple industry to deliver industry training, knowledge and technology transfer and benchmarking programmes. This work includes the evaluation of different planting systems including high density orchards, meeting quality assurance and legislative initiatives. In conjunction with AFBI, CAFRE staff also appraise plant health, pest and disease control measures and chemical evaluations and have provided technical support and advice in the processing and packaging of apples and apple products.
- (ii) My Department is a major sponsor of apple research with considerable research being carried out by AFBI, Loughgall. The Department provided £10k from the 2009 NI Regional Food Programme to support the Bramley Apple Blossom Fair. The apple processing sector has received approximately £1.35m in grant aid under the Processing and Marketing and Marketing Development Grant Schemes as part of the Programme for Building Sustainable Prosperity 2000-2006. Financial assistance may be available to the apple industry involved in the processing and marketing of apples through schemes under the Rural Development Programme namely the Processing & Marketing Grant Scheme and the Marketing Development Grant Scheme which are delivered directly by DARD and are currently open for applications.
- (iii) My Department helped the apple industry advertise and promote the Armagh Bramley through its support for the Bramley Apple Blossom Fair held at Loughall on 8/9 May this year. This initiative arose from the Fruit Industry Federation participation in DARD's Supply Chain Development programme. Another initiative from this programme is an application to register 'Armagh Bramley Apples' as a Protected Geographical Indication (PGI) under the EU Protected Food Names Scheme.

## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### Safety at Sports Grounds

**Mr Shannon** asked the Minister of Culture, Arts and Leisure to whether injuries or incidents reported at sports grounds in recent years are behind the safety at sports grounds initiative. (AQW 8489/09)

**The Minister of Culture, Arts and Leisure (Mr Campbell):** The safety at sports grounds initiative has been one of my Department's major policy priorities over the past number of years. It arose as a result of an Inter-Departmental Working Group review in the late 1990's which recommended that steps be taken to bring major sports grounds in Northern Ireland (primarily Football, Gaelic games and Rugby) up to acceptable spectator safety standards.

### National Shooting Week

**Mr Shannon** asked the Minister of Culture, Arts and Leisure has he had any discussions with shooting bodies concerning involvement in National Shooting Week. (AQW 8544/09)



**The Minister of Culture, Arts and Leisure:** Neither I nor Sport Northern Ireland, which is responsible for the development of sport in Northern Ireland, has received any requests from shooting bodies to discuss involvement in National Shooting Week.

### GAA Events

**Mr McKay** asked the Minister of Culture, Arts and Leisure how many GAA events he has (i) attended; and (ii) hosted, since taking office. (AQW 8710/09)

**The Minister of Culture, Arts and Leisure:** Since becoming Minister I have not attended or hosted any GAA events. My predecessor attended one GAA event and hosted one event.

### GAA: Meetings with

**Mr McKay** asked the Minister of Culture, Arts and Leisure how many meetings he has had with the GAA since becoming Minister. (AQW 8711/09)

**The Minister of Culture, Arts and Leisure:** Since becoming Minister I have not had the chance, as yet, to meet with the GAA. My predecessor had three meetings with the GAA.

## DEPARTMENT OF EDUCATION

### Council for Catholic Maintained Schools

**Mr Elliott** asked the Minister of Education how many teachers are employed in the Council for Catholic Maintained Schools sector broken down by (i) Protestant; and (ii) Roman Catholic. (AQW 7920/09)

**The Minister of Education (Ms Ruane):** Ní fhostaíonn an Roinn múinteoirí agus ní choinníonn sí eolas staitistiúil ar chreideamh múinteoirí.

The Department does not employ teachers and does not hold statistical information on the religious breakdown of teachers.

### Class size limits

**Mr K Robinson** asked the Minister of Education if she intends to reduce class size limits at Key Stage one; and if her Department recognises the benefits of reduced pupil:teacher ratio. (AQW 8105/09)

**The Minister of Education:** Article 16(2) of the Education Order 1998 states that “the Board of Governors of a primary school shall not cause or permit the number of pupils in a class at any time to exceed the statutory limit”. The statutory limit of 30 at Key Stage one is given effect by regulation 4 of the Class Sizes in Primary Schools Regulations 2000, with regulation 5 setting out the circumstances under which an exception to the limit may apply.

The Education and Library Boards are responsible for providing to eligible schools any additional funding to meet the policy from within their overall allocations.

I have commissioned a review of schools’ funding to examine a range of issues, with particular focus on bringing greater fairness and equality to the arrangements for distributing funding across all schools and targeting social need.

I believe it is very important to reduce class sizes because the quality of learning is vital to later educational progress. The pupil:teacher ratio has a key role to play, in particular for teachers in schools with significant proportions of disadvantaged pupils, in enabling them to have smaller classes so that they can deal with barriers to learning; give individual help to pupils; or work in small groups.

Dá mbeadh laghdú ar bith ar mhéideanna na ranganna, bheadh infheistíocht substaintiúil riachtanach, ar scála a éileodh ar thacaíocht ó gach cuid den Choiste Feidhmiúcháin.

Any reduction in class sizes would require substantial investment, of a scale that would require support from across the Executive and I look forward to all party support.

### Class Size Limits

**Mr K Robinson** asked the Minister of Education if there is a legal requirement to ensure that class sizes at Key Stage one do not exceed thirty pupils, placed upon (i) her Department; (ii) the Education and Library Boards; and (iii) primary schools. (AQW 8107/09)

**The Minister of Education:** Article 16(2) of the Education Order 1998 states that “the Board of Governors of a primary school shall not cause or permit the number of pupils in a class at any time to exceed the statutory limit”. The statutory limit of 30 at Key Stage one is given effect by regulation 4 of the Class Sizes in Primary Schools Regulations 2000, with regulation 5 setting out the circumstances under which an exception to the limit may apply.

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Any reduction in class sizes would require substantial investment, of a scale that would require support from across the Executive and I look forward to all party support.

### Southern Education and Library Board

**Mr Gardiner** asked the Minister of Education to outline what action she is proposing to take about the 40% of Southern Education and Library Board primary schools which overspend beyond her 5% limit. (AQW 8167/09)

**The Minister of Education:** Ag deireadh na bliana airgeadais 2007/08 bhí 23 scoil san iomlán i limistéar Bhord Oideachais agus Leabharlainne an Deiscirt (SELB) le heasnamh charnacha sa bhuiséad de 5% nó níos mó. Is ionann seo agus beagnach 10% de na bunscoileanna ar fad i limistéar Bhord an Deiscirt.

At the end of the 2007/08 financial year there were a total of 23 schools in the Southern Education & Library Board (SELB) area with cumulative budget deficits of 5% or more, representing approximately 10% of all primary schools in the Southern Board area.

Schools must receive the consent of the Board’s Chief Finance Officer, Chief Executive, or the Finance and General Purposes Committee before planning for a deficit. The level at which approval is required will depend on the size of the proposed deficit and the percentage this represents of the resources available to the school.

All Boards are required to agree with schools viable recovery plans designed to reduce deficits (and surpluses) to within 5% (or £75,000 whichever is the lesser) of their annual available resources. In addition, the Board of Governors must submit a three year financial plan to the Board for approval.

SELB LMS officers are in contact with schools regularly to discuss their financial position. My Department also regularly monitors and reviews the progress being made by all Funding Authorities, and actions being taken to bring schools’ budgets back to within this target.

### Bonuses paid to Senior Civil Servants

**Mr McGlone** asked the Minister of Education how much was paid in bonuses to senior Civil Servants in her Department in 2008/09. (AQW 8201/09)

**The Minister of Education:** Mionsonraítear thíos na bónais fheidhmíochta a íocadh le státseirbhísigh shinsearacha:

Performance bonuses paid to senior civil servants are detailed below:

	Nos.	Total
2008/09	14	£114,000

There is widespread public anger at the large bonuses being paid to public servants who are already in receipt of substantial incomes. As Minister I share this concern and want a review to be undertaken on the matter.

### Teachers' Pensions

**Ms Lo** asked the Minister of Education what impact the rule changes on early retirement will have on teachers' pensions. (AQW 8306/09)

**The Minister of Education:** Agus measúnú déanta agam ar na freagraí a fuarthas ón comhairliúchán deireanach ar dhréacht Rialacha do Mhúinteoirí (TÉ) 2009 (Cúiteamh le haghaidh iomarcaíocht agus luathscor) agus ar athruithe moltacha do Rialacha Aoisliúntais na Múinteoirí (TÉ) 2009, shocraigh mé go ndéanfar Measúnacht Tionchair Chomhionannais (EQIA).

Having considered the responses to the recent consultation on the draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2009 and complementary amendments to the Teachers' Superannuation Regulations (NI) 1998, I have decided that a full Equality Impact Assessment (EQIA) will be undertaken.

The Department will publish an EQIA for consultation early in the autumn. Further progress on the timing and content of the draft regulations will depend on the outcome of consultation on the EQIA. For teachers prematurely retired and/or made redundant at the end of the 2008-2009 school year, the arrangements for compensation will therefore be in accordance with the existing regulations, i.e. on the same basis as in 2008.

The effect of the draft regulations would be make teachers' employers liable for the compensation costs associated with decisions to grant premature retirement, whether on grounds of redundancy or in the interests of the efficient discharge of the employer's function. Existing provisions regarding discretionary compensation for redundancy would be retained.

Under the new regulations all of the options currently available to employers would remain in place. In cases of premature retirement these include the immediate payment of unreduced pension benefits and, where the teacher is eligible to receive it, the award of an additional service credit ("added years"). The regulations would also provide employers with discretion to make an enhanced severance or "termination" payment as an alternative to premature retirement. The circumstances under which premature retirement is granted and the amount of compensation would be a matter of policy on the part of the compensating authority, i.e. the relevant Education and Library Board in the case of controlled and maintained schools, and the Department in the case of all other schools. With effect from 1 January 2010 the new Education and Skills Authority will be the compensating authority in respect of all grant-aided schools.

There are discrete arrangements for infirmity retirement and no change to these is currently proposed: the additional costs associated with early retirement on grounds of ill health will continue to be met by the Teachers' Pension Scheme. Nor are there proposals to alter the provision within the Teachers' Pension Scheme, known as actuarially reduced benefits, which allows a teacher aged 55 or over to retire and to elect to receive his or her pension benefits before normal retirement age.

The Teachers' Pension Scheme is a defined benefit "final salary" scheme and remains one of the most important and valuable benefits available to teachers. The draft regulations do not include any change to the available benefits. These include:

- Substantial employer contribution towards the cost of pension – currently at the rate of 13.6% of gross salary;

- Guaranteed pension at normal pension age;
- The option to take part of pension as a tax-free lump sum (compulsory for teachers joining the Scheme before 1 April 2007);
- Pension value protected through full index linking;
- Access to ill-health benefits, should a teacher become permanently unable to teach;
- Children's and dependants' pension;
- In-service death grant;
- The option to have pension paid early at an actuarially reduced rate or through a phased retirement option.

### Transfer 2010

**Mrs Hanna** asked the Minister of Education (i) what plans are in place to monitor the implementation of transfer 2010; and (ii) what measures are available to the Department to assess whether schools are following departmental guidance. (AQW 8330/09)

**The Minister of Education:** Is féidir leis an Roinn monatóireacht a dhéanamh ar chur i bhfeidhm Aistriú 2010, agus ar a mhéad a chloítear leis an treoir mholta ar Aistriú 2010, trí iniúchadh a dhéanamh ar an mhéid a léiríonn na critéir iontrála a shocraíonn Bhoird Ghobharnóirí scoileanna na critéir mholta. Déanann an Roinn monatóireacht go rialta freisin ar leibhéal na n-achomharc a dhéantar le binsí neamhspleácha iontrála, agus déanfar measúnú ar chineálacha gníomhaíochtaí monatóireachta eile más gá.

The Department plans to monitor the implementation of transfer 2010, and adherence to the proposed transfer 2010 guidance, by examining the extent to which admissions criteria set by school Boards of Governors reflect the recommended criteria. The Department also routinely monitors the level of appeals made to independent admissions tribunals, and other forms of monitoring activity will be considered as necessary.

### Accommodation for Primary Schools

**Mr Lunn** asked the Minister of Education what steps she is taking to ensure that adequate accommodation will be made available for (i) Drumlins Integrated Primary School, Ballynahinch; (ii) Rowandale Integrated Primary School, Moira; (iii) Phoenix Integrated Primary School, Cookstown; (iv) Maine Integrated Primary School, Randalstown; and can she confirm what that accommodation will comprise and when it will be available for the school to use. (AQW 8476/09)

**The Minister of Education:**

- (i) Drumlins Integrated Primary School, Ballynahinch; Phoenix Integrated Primary School, Cookstown; and Maine Integrated Primary School, Randalstown each require an additional classroom with toilets to accommodate an increase in their enrolment for September 2009. My Department has taken steps to ensure that this accommodation will be in place for the commencement of the new school term.

Measann mo Roinn go bhfuil cóiríocht leormhaith ag Rowandale Integrated Primary School, Moira le freastal a dhéanamh ar an rollú i mí Mheán Fómhair.

My Department considers that Rowandale Integrated Primary School, Moira already has adequate accommodation on site to cater for the enrolment for September.

### Teaching Staff With Disabilities

**Mrs I Robinson** asked the Minister of Education to detail (a) the legal obligations on Non Departmental Public Bodies when employing teaching staff with disabilities; (b) the relevant legislation under which this obligation is framed; and (c) to confirm that any measures, which must be taken at schools in order to facilitate teaching staff with disabilities, are funded by her Department. (AQW 8480/09)

**The Minister of Education:**

- (a) and (b) The legal obligations for Non-Governmental Public Bodies when employing teaching staff with disabilities is as contained within the Disability Discrimination Act 1995 as amended. Under the Act



‘a disabled person’ is defined as a person with ‘a physical or mental impairment which has a substantial or long-term adverse effect on their ability to carry out normal day-to-day activities’. The Act makes it unlawful for employers to discriminate directly against people with disabilities in relation to recruitment, selection, terms and conditions, training or other benefits by subjecting the person with a disability to any other detriment.

If an existing employee becomes disabled the employing authorities must make every effort to provide the fullest support and make reasonable adjustments wherever practical to facilitate a return to the workplace. The Act makes it unlawful for employers to discriminate against current or prospective disabled employees because of a reason relating to their disability.

In adhering to their responsibilities under the disability discrimination legislation employing authorities are required to make reasonable adjustments to structural/physical features and to employment arrangements to ensure that a person with a disability is not substantially disadvantaged compared to a person with a disability.

- (c) Employing authorities are responsible for providing a suitable environment and resources for their employees to carry out their work duties and fully participate in the work place.

Grant-aid funding in relation to reasonable adjustment for disabilities remains consistent with existing Departmental grant funding guidelines and arrangements. Capital costs for improving physical accessibility in controlled schools are financed by the Education and Library Boards. Schools in other sectors are grant-aided directly by the Department as long as the Department’s prior approval has been obtained.

Caithfidh gach scoil nach bhfuil i dteideal cúnamh deontais chaipitil na Roinne féinmhaoinitheach a dhéanamh dá n-oibreacha caipitiúla lena chinntiú go bhfuil siad ag cloí lena ndualgaís reachtúla. Caithfidh scoileanna neamhspleácha maoiniú a fháil óna n-acmhainní féin le haghaidh gach gné rochtána lena chinntiú go bhfuil a socruithe féin ar aon dul le gach riachtanas reachtúil.

Any school not eligible for Departmental capital grant-aid must self-finance their capital works to ensure that they are compliant with statutory duties. Independent schools must finance all aspects of accessibility from their own resources to ensure that their own arrangements are line with all statutory requirements.

### School Meals

**Mr B McCrea** asked the Minister of Education to detail, by sector and in each primary school, (i) the number of pupils; (ii) the number of pupils entitled to free school meals; (iii) the number of pupils that take free school meals; (iv) the number of pupils entitled to a free school uniform; and (v) the number of pupils that take a free school uniform, using the most recent October statistics. (AQW 8504/09)

**The Minister of Education:** Tá socraithe agam go gcuifear an t-eolas a iarradh i Leabharlann an Tionóil.

I have arranged for the information requested to be placed in the Assembly Library.

### School Meals

**Mr B McCrea** asked the Minister of Education to detail, by sector and in each post-primary school, (i) the number of pupils; (ii) the number of pupils entitled to free school meals; (iii) the number of pupils that take free school meals; (iv) the number of pupils entitled to a free school uniform; and (v) the number of pupils that take a free school uniform, using the most recent October statistics. (AQW 8505/09)

**The Minister of Education:** Tá socraithe agam go gcuifear an t-eolas a iarradh i Leabharlann an Tionóil.

I have arranged for the information requested to be placed in the Assembly Library.

### Education and Skills Authority

**Mr Gardiner** asked the Minister of Education to outline the process by which the new Education and Skills Authority will manage the targets inherited from, and set by, the Education and Library Boards and where does she envisage that economies of scale will be achieved and enable targets to be met and economies effected.

(AQW 8512/09)

**The Minister of Education:** Beidh mo Roinn ag ullmhú Ráitis Bainistíochta don Údarás nua um Oideachas agus Scileanna (ESA) agus leagfar an creat forleathan ina mbeidh an ESA ag oibriú amach ann.

My department will be preparing a Management Statement for the new Education and Skills Authority (ESA) which will set out the broad framework within which ESA will operate. Targets for ESA will be developed and put in place based on the priorities and objectives for Education. A similar process operates in the existing arrangements for the Education and Library Boards where targets are agreed as part of annual Resource Action Plans.

An outline business case for the implementation of the Review of Public Administration programme in education was published in December 2008. It sets out the savings which will be achieved through a reduction in tiers of management; the merging of nine organisations into one and the harmonisation of procedures; processes and systems all of which will allow the re-direction of resources to the delivery of front-line services.

In addition, as part of the transition process, the ESA Chief Executive (Designate) has been appointed as an additional Departmental Accounting Officer from April 2009 so that he has a role in overseeing systems of control, corporate governance and the quality of decision making within the existing organisations prior to the establishment of ESA in January 2010.

### Teaching Staff with Disabilities

**Mrs I Robinson** asked the Minister of Education to detail (a) the amount of money spent on projects at schools which have facilitated pupils with disabilities; and (b) the amount of money spent on projects at schools which have facilitated teaching staff with disabilities, in each of the last five years. (AQW 8516/09)

**The Minister of Education:** Sonraítear thíos an méid airgid a caitheadh, i ngach bliain le cúig bliana anuas, ar thionscadail i scoileanna a d'éascaigh idir daltaí agus múinteoirí faoi mhíchumas.

Details of the amount of money spent on projects at schools which have facilitated both pupils and teachers with disabilities in each of the last five years are detailed below:

	£000's				
	2004/05	2005/06	2006/07	2007/08	2008/09
a. The amount of money spent on projects at schools which have facilitated pupils with disabilities	4,329	5,123	4,375	4,205	5,689
b. The amount of money spent on projects at schools which have facilitated teaching staff with disabilities	276	0	17	3	0

These costs relate mainly to building maintenance/equipment project costs specifically relating to pupils and teachers with disabilities to comply with the Disability Discrimination Act, which includes pupils with special educational needs (SEN), but does not include general SEN costs such as classroom assistant costs etc.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, to confirm that Commissioners at the South Eastern Education and Library Board are aware of the severe impact upon the health and family of Mr Joe Gillan, resulting from the withdrawal of his secondment agreement in January 2009. (AQW 8517/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### **South Eastern Education and Library Board**

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, to confirm that Commissioners at the South Eastern Education and Library Board are aware of the delay to the NI Endoscopy Reporting System and Bowel Cancer Screening Programme, resulting from the withdrawal of Mr Joe Gillan's secondment agreement in January 2009. (AQW 8518/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### **South Eastern Education and Library Board**

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, if (a) Commissioners at the South Eastern Education and Library Board interviewed a short-listed candidate to replace Mr Joe Gillan; (b) that a replacement was offered as a cover during Mr Joe Gillan's secondment; and (c) that the decision to offer a replacement as cover during Mr Joe Gillan's secondment was ratified by the Commissioners. (AQW 8520/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

## Autism

**Mr G Robinson** asked the Minister of Education to detail the outside bodies, including charitable organisations, that have been consulted about autism by her Department over the last 4 years. (AQW 8531/09)

**The Minister of Education:** In August and September 2007 two stakeholder consultations were held at the Middletown Centre for Autism to canvas opinion about the building and refurbishment project. The following organisations, with experience of working with children with autistic spectrum disorder (ASD), were invited to attend:

Autism Initiatives, 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, NI Commissioner for Children and Young People (NICCY), NICCY Youth Panel, Council for Catholic Maintained Schools, NI 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 Northern 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.

The Department of Education has undertaken a review of special educational needs (SEN) and inclusion aimed at reducing bureaucracy and improving consistency of provision and access to support for all children with SEN, including those with autism. The policy proposals, which emerged from this Review, are presently awaiting Executive agreement to issue for public consultation. In developing these policy proposals there has been much early engagement with a wide range of groups and individuals to obtain the views of stakeholders including teachers and other educational and health professionals, parents, children and young people. Members of the review team have also met with representatives from a number of voluntary groups including Autism NI, National Autistic Society (NAS) and Parents Education as Autism Therapists (PEAT).

The Education and Training Inspectorate has met and discussed autism with the following: the five Education and Library Boards, the 5 Board ASD Training Group, Torbank School, Special Provision for the Education of Autistic Children, the European Agency for Development of Special Needs Education, Autism NI, Special Education Support Service, Institute of Child Education and Psychology Europe, Daldorch House School, Department of Health and Social Services and Public Safety and Camphill Community Glencraig.

The Department organised a 2-day Autism Stocktake Conference on 10th and 11th March 2008 with delegates from England, Scotland and Wales joining inspectors and policy advisers from the North and South of Ireland to consider autism provision across the education sector and common strategic approaches across England, Scotland, Wales and Ireland. As part of this event, I met with delegates to hear their views on autism provision.

In addition the Department has been working closely with colleagues in the Department of Education and Science, the Inspectorate and Educational Psychologists, North and South and the Middletown Centre in planning for the successful ASD Conference, which was hosted in April 2008 in Croke Park and the forthcoming conference planned for November this year in Armagh.

Departmental officials have met on several occasions over the last four years with members of Autism NI and the National Autistic Society.

Mar chríoch, bhí cruinnithe agam le proifisiúnaigh ASD ó scoileanna agus ó Bhoird Oideachais agus Leabharlainne, le grúpaí ASD, tuismitheoirí agus pearsanra ó Ionad Choilidh Channanáin le haghaidh Uathachas le dhá bhliain anuas agus bhí mé ábalta a dtuairimí faoi sholáthar ASD a chloisteáil mé féin.



Finally, I have had a number of meetings with ASD professionals from schools and Education and Library Boards, ASD groups, parents and personnel from the Middletown Centre for Autism over the last two years and I have been able to hear first hand their views on ASD provision.

### Behaviour Analysis

**Mr G Robinson** asked the Minister of Education if she and her adviser's would be prepared to meet directly with professionals trained in applied behavioural analysis. (AQW 8534/09)

**The Minister of Education:** I recently met professionals trained in applied behaviour analysis (ABA) in a visit to the Middletown Centre for Autism on 20 May 2009. I also visited the SPEAC Centre (Special Provision for the Education of Autistic Children) at Torbank Special School on 16 January 2008 and met again with representatives of the SPEAC Committee on 7 May 2008.

### Behaviour Analysis

**Mr G Robinson** asked the Minister of Education to outline the reasons behind her statement that applied behaviour analysis is a commercial product. (AQW 8535/09)

**The Minister of Education:** Tá alán módhanna difriúla ann a bhaineann leis an t- idirghabháil oideachais le haghaidh Uathachas, módhanna a bhí forbartha ag grúpaí éagsúla agus eagraíochtaí dheonacha.

There are many different methods of educational intervention for autism which have been developed by various groups and voluntary organisations.

As I stated in response to your previous AQW 8172/09, the Chief Executives of the Education and Library Boards (ELBs) have advised that an officer from each ELB has completed high level accredited training in applied behaviour analysis (ABA) at Trinity College, Dublin. ELBs are therefore very aware that ABA, which in itself can take on many forms, is one of the many methods of intervention for autism. In addition many educational practitioners, including educational psychologists, are skilled in ABA approaches.

Interventions for children with autism, in line with the Report of the Task Group on Autism, should be child – centred, not cost centred. If ELB officials consider ABA, a specific approach not ordinarily available in house, to be the best intervention for a particular child, then ABA is “bought in” from the most appropriate supplier – hence its description as a commercial product.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, whether the commissioners at the South Eastern Education and Library Board are aware that approval was given for Mr Joe Gillan's secondment to Health and Social Care in December 2008. (AQW 8549/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to 7593/09, to confirm (a) that commissioners at the SEELB are aware that a P45 was issued to Mr Joe Gillan in January 2009 and that his NILGOSC pension was stopped; (b) that the SEELB wrote to the HSCT ICT programme support office stating that they have a policy of not acting as the paying authority for the Review of Public Administration secondment; (c) who authorised the issue of the P45; (d) who authorised the letter to the HSCT; and (e) who authorised the termination of Mr Gillan's NILGOSC pension. (AQW 8550/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

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Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, to confirm (i) that commissioners at the South Eastern Education and Library Board are aware that a secondment for Mr Joe Gilan from the South Eastern Education and Library Board to the Department of Health, which they ratified on 18 December 2008 was withdrawn in January 2009; and (ii) what date they ratified this withdrawal. (AQW 8557/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to AQW 7593/09, whether all board officers at the South Eastern Education and Library Board, including human resource officers and line managers, are aware of, and understand, the guiding principles established by the Public Services Commission, in relation to the secondment of staff between the Review of Public Administration affected bodies. (AQW 8560/09)

**The Minister of Education:** The Chief Executive of the South Eastern Education and Library Board has advised that the issues you raise are operational matters regarding an employee at the Board. Such matters would

not normally involve the Commissioners but fall within the responsibility of Board Officers. The Commissioners are not aware of the details of this case. The Chief Executive of the Board has also advised that:

The Board did not withdraw Mr Gillan's secondment agreement. The Commissioners did not interview a short-listed candidate to replace Mr Gillan; this was done by Board Officers. A replacement for Mr Gillan's post was routinely ratified by the Commissioners in December. When Mr Gillan requested a return to his original post with the Board this was facilitated.

It is standard procedure to issue a P45 to an employee moving to a new employer to ensure the paying authority has the correct tax code, gross and net pay for the employee. There was no termination of Mr Gillan's pension.

Tá tugtha le fios dom ag an Bord go bhfuil foireann SEELB eolach ar threoirphrionsabail an Choimisiúin um Sheirbhísí Phoiblí

The Board has also advised me that SEELB staff are aware of the Public Services Commission guiding principles.

### Holocaust Education Trust

**Mr Durkan** asked the Minister of Education to outline any engagement between her Department and the Holocaust Education Trust; and to indicate any plans to introduce the "Lessons from Auschwitz" Project for schools. (AQW 8577/09)

**The Minister of Education:** Níl baint dhíreach ag an Roinn Oideachais leis an Iontabhas Oideachais um Uileloscadh, ach tá a fhios agam faoi na hacmhainní oideachais agus na deiseanna foghlama a chuireann an Iontabhas ar fáil. Soláthraíonn an curaclam athbhreithnithe i dTuaisceart na hÉireann réimse deiseanna do scoileanna le ceisteanna an Uileloiscithe agus eile a phlé, agus socraíonn na scoileanna iad féin faoin bhaint a bheidh acu le comhlachtaí ón taobh amuigh, le rannpháirtíocht i dtionscnaimh cosúil le Lessons from Auschwitz.

The Department of Education has had no direct engagement with the Holocaust Education Trust, although I am aware of the educational resources and learning opportunities the Trust provides. The revised curriculum in the north of Ireland provides schools with a range of opportunities to explore the Holocaust and related issues, and it is a matter for schools to determine their involvement with outside bodies, including their participation in projects such as Lessons from Auschwitz..

### Post-Primary Transfer

**Mr Shannon** asked the Minister of Education what assistance she will offer to Year 7 pupils in the 2009/10 academic year, to help them cope with the uncertainties caused by Post-Primary Transfer (AQW 8609/09)

**The Minister of Education:** Tá Treoir soléir agus mionsonraithe um Aistriú 2010 foilsithe agam. Má leanann gach scoil an Treoir seo, ní bheidh sé riachtanach teisteanna iontrála a bheith ann agus ní bheidh aon neamhchinnteacht maidir leis an phróiseas aistrithe ann. Bainfidh daltaí tairbhe as an bhliain dheireanach ar an bhunscoil agus an curaclam athbhreithnithe á mhúineadh dóibh gan athruithe le freastal a dhéanamh ar thástáil atá as dáta.

I have published clear and detailed Guidance for transfer 2010. If all schools follow that Guidance there will be no need for entrance tests and no uncertainty about the transfer process. Pupils will benefit from a fulfilling final year in primary school being taught the revised curriculum without distortion to accommodate outdated testing.

### Glastry School, Ballyhalbert

**Mr Shannon** asked the Minister of Education if she would consider extending the number of Year 8 pupils being accepted into Glastry School, Ballyhalbert. (AQW 8667/09)

**The Minister of Education:** Déanfaidh an Roinn measúnú ar iarrtas ó Bhord Gobharnóirí maidir le hathrú sealadach dá líon iontrála trí chomhairliúchán leis an Bord Oideachais agus Leabharlainne agus, más cuí, le Comhairle na Scoileanna Caitliceacha faoi Chothabháil.

The Department will consider a request from a school Board of Governors for a temporary variation to its admissions numbers in consultation with the appropriate Education and Library Board and, where appropriate, the Council for Catholic Maintained Schools.

You will appreciate however that the Department is obliged to have regard to the availability of surplus places at suitable alternative schools and in such instances would not increase a school's admissions number to the detriment of another school.

### South Eastern Education and Library Board

**Mrs I Robinson** asked the Minister of Education, pursuant to the answer to AQW 7593/09, whether the Commissioners at the South Eastern Education and Library Board are fully aware and understand all of the Guiding Principles established by the Public Services Commission in relation to the secondment of staff between bodies affected by the Review of Public Administration. (AQW 8677/09)

**The Minister of Education:** Tá tughtha le fios dom ag Príomhfheidhmeannach Bhord Oideachais agus Leabharlainne an Oirdheiscirt go bhfuil na Coimisinéirí lán eolach ar, agus go dtuigeann siad, na Treoirphrionsabail a bhí bunaithe ag an Coimisiún um Sheirbhísí Phoiblí maidir le hiasacht fhoirne idir comhlachtaí a bhfuil difir déanta ag an Athbhreithniú ar Riarachán Poiblí orthu.

I have been advised by the Chief Executive of the South Eastern and Education Library Board that the Commissioners are fully aware and understand all of the Guiding Principles established by the Public Services Commission in relation to the secondment of staff between bodies affected by the Review of Public Administration.

### Job Advertisements

**Mr Kennedy** asked the Minister of Education to outline (i) her Department's guidelines on job advertisements; and (ii) how the job advertisement which appeared in the Irish News on 25 June 2009 for a Programme Director in her Department meets these guidelines. (AQW 8703/09)

**The Minister of Education:** Is í an treoir atá ag mo Roinn maidir le fógraí poist ná go mbeidh postanna fógraithe lasmuigh den Roinn, sna meáin áitiúla i mBéarla agus i nGaeilge mar is cuí, nuair nach bhfuil na scileanna a bhaineann leis na postanna áirithe sin ar fáil laistigh den Roinn.

My Department's guidelines on job advertisements are that where the skills for particular posts are not available in-house, they are advertised externally in the local media in both English and Irish as appropriate.

The job advertisement in question relates to a post where my Department is working with Strategic Investment Board Ltd as a partner in developing a Shared Educational Campus in Omagh. The job advertisement for a Programme Director is fully consistent with my Department's guidelines.

### Education Welfare Officers

**Mr Irwin** asked the Minister of Education (i) to define the role of an Education Welfare Officer in the remit of home schooling; and (ii) if Education Welfare Officer home visitations are required by law. (AQW 8704/09)

**The Minister of Education:** Parents of every child of compulsory school age are legally required to ensure that the child receives full-time education suitable to his/her age, ability and aptitude by regular attendance at school or otherwise. Parents can choose to home educate and it is important to note that there is no legal requirement for them to advise their Education and Library Board or the Department of their decision.

Each Board also has a statutory duty under Schedule 13 of the Education and Libraries (NI) Order 1986 to ensure that pupils in its area are receiving efficient full-time education appropriate to his or her age, ability and aptitude, and to any special educational needs that he or she may have, and that parents fulfil their duty with this regard.

Although the law does not specify that Board officers are required to make home visitations, the Order places a duty on the Boards to ensure that the education of pupils in their area is appropriate. This can necessitate a home visit for those pupils whose parents have chosen to home educate.



Should a Board receive notification of a child who is being home educated, an officer will make an initial call to the child's parent to clarify the situation. At times, this initial call may lead to the parent having a change of mind. If not, the parent is offered a range of dates for a home visit by the officer, often accompanied by an Education Welfare Officer.

The officer will check what education provision is offered, provide general guidance on appropriate materials and exam types and will also provide a contact number for any future advice. Annual home visits are undertaken to discuss the provision and determine if the education provided is suited to the child's age, aptitude and ability. Parents are also often asked to submit an annual report to the Board to ensure the child is progressing.

Any concerns an officer may have regarding the adequacy of the education provision are reported to Curriculum Advisory Support Service (CASS). CASS will then provide advice on curricular provision.

Má fheictear don Bhord gur theip ar thuismitheoir oideachas oiriúnach a sholáthar, is féidir an Bord ordú um fhreastal scoile a thabhairt don thuismitheoir a dhéanfaidh éileamh ar an thuismitheoir an páiste a chlarú mar dhalta ag an scoil atá ainmnithe san ordú.

If it appears to a Board that a parent is failing to provide suitable education, the Board may serve the parent with a school attendance order requiring the parent to cause the child to become a registered pupil at the school named in the order.

### Nursery Places

**Mrs Long** asked the Minister of Education for her assessment on the process for obtaining nursery places where the first choice is over-subscribed. (AQW 8743/09)

**The Minister of Education:** Caithfidh naonraí agus scoileanna a bhfuil naonra acu gach iarratas iontrála a mheas agus daltaí a ghlacadh suas go dtí an líon rollaithe atá faofa dóibh.

Nursery schools and schools with nursery units are required to consider all applications for admissions and admit pupils up to their approved enrolment number.

Whilst policy enables parents to state their preferences for the schools they wish their children to attend, if oversubscribed with applications, Boards of Governors of individual schools are required to apply the schools published admissions criteria to decide which pupils to admit. Responsibility for drawing up these criteria rests entirely with the Board of Governors of each school and reflects the Governors' priorities for admission to their school. The Board of Governors must compile a list of all applicants in rank order, regardless of whether the school is their first, second or third preference.

If oversubscribed, application forms for pupils who have not been accepted for admission to their first preference school are made available to the parents' second preference school via the Education and Library Board. This process is repeated for third preference schools etc until all places have been filled.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Employment Agencies

**Mr O'Loan** asked the Minister for Employment and Learning (i) to detail the role of his Department in the regulation of employment agencies; and (ii) to state whether it investigates and issues decisions on individual complaints against employment agencies. (AQW 8357/09)

**The Minister for Employment and Learning (Sir Reg Empey):** My Department is responsible for regulating NI-based employment agencies. Agencies must comply with the Employment (Miscellaneous Provisions) (NI) Order 1981 ("the 1981 Order") and the Conduct of Employment Agencies and Employment Businesses Regulations (NI) 2005 ("the Conduct Regulations"). The Conduct Regulations are designed to protect work seekers and employers using services provided by an agency and put in place minimum standards for agencies, such as agreeing terms and conditions with work-seekers and hirers and checking identification and qualifications of work-seekers.

My Department received powers of entry and inspection of agencies in January 2006. In a pilot exercise, Trading Standards Service carried out 35 inspections on the Department's behalf in 2006/07. DEL's first employment agency inspector was appointed in October 2007, with a second appointed in June 2008. The inspectors carry out a programme of routine inspections of all NI agencies to check for compliance with the Conduct Regulations. The inspectors also investigate complaints made against agencies. A table detailing numbers of inspections and complaints since October 2007 is attached at Annex A.

My Department's inspectors investigate individual complaints against agencies and ensure that any infringements of the legislation are rectified. Most agencies co-operate with inspectors and rectify any infringements within two weeks. In these circumstances the Department takes no further action against the agency concerned. My Department does have powers to prosecute non-compliant agencies in the Magistrates' Court. No prosecutions have been taken to date. My Department can also apply to an Industrial Tribunal to prohibit an individual from operating an agency for up to 10 years. One application has been heard by a Tribunal and a further application has recently been made to the office of the Industrial Tribunal.

Inspectors will notify a complainant of the general outcome of an investigation, for example, that where infringements of the legislation were discovered corrective action has been insisted upon, or that there was no evidence that an agency had acted inappropriately. Complainants are advised that specific findings of an investigation cannot be made available to them as article 7B(10) of the 1981 Order makes it a criminal offence for officers to disclose information found in the course of their duties except in limited circumstances.

#### ANNEX A

##### INSPECTIONS AND COMPLAINTS INVESTIGATED BY DEL EMPLOYMENT AGENCY INSPECTORS SINCE OCTOBER 2007

	Oct 07-Mar 08	Apr 08-Mar 09	Apr 09-Present (May 09)
Inspections carried out	40	76	14
Complaints received (all investigated)	1	59*	5

\*Increase mainly attributable to a significant rise in the number of inter-agency complaints.

### Belfast Metropolitan College

**Mr Butler** asked the Minister for Employment and Learning to provide details of the efficiency review carried out into Belfast Metropolitan College and what steps his Department is taking to implement the review findings. (AQW 8373/09)

**The Minister for Employment and Learning:** As a result of concerns about the financial performance of Belfast Metropolitan College, my Department commissioned a comprehensive efficiency review to examine the management and operation of the College. The review has been completed and the draft report has been formally presented to the College Governing Body.

The College has been asked to draw up, and submit to the Department for approval, a business improvement plan setting out how the report's findings, which include detailed recommendations relating to corporate planning, management information processes and financial management and control, will be implemented.

My Department will work closely with the Governing Body to monitor progress against the plan and ensure that all findings are implemented effectively and that the financial health and stability of the College is assured.

### Degrees being withheld

**Mr Burns** asked the Minister for Employment and Learning for each of the last 10 years (i) how many students completed a degree course in University where the award of the degree is currently being withheld; and (ii) to detail the reasons for the withholding the award. (AQW 8388/09)

**The Minister for Employment and Learning:**

- (i) Information provided by Queen's University and the University of Ulster is attached at Annex A. There were no instances at Stranmillis or St Mary's University Colleges where the award of a degree has been withheld in the last 10 years.

- (ii) Queen's University advises that one award was withheld as a result of non-payment of fees. The University of Ulster advises that the award of a degree is normally only withheld where graduating students who have successfully completed their course are in debt to the University.

## ANNEX A

## QUEEN'S UNIVERSITY

Graduation Restrictions – 10-year period (98-99 – 07-08)		
Qualifiers – Degree Restriction		
Year	Number Restricted	Reason
07-08	1	Fees (*)
06-07	0	n/a
05-06	0	n/a
04-05	0	n/a
03-04	0	n/a
02-03	0	n/a
01-02	0	n/a
00-01	0	n/a
99-00	0	n/a
98-99	0	n/a

(\*) Non payment of Fees

By way of context, approximately 4,800 students graduate each year.

## UNIVERSITY OF ULSTER

Academic Year in which Degree withheld	Number of Degrees currently withheld
02/03	2
03/04	1
04/05	5
05/06	6
06/07	16
07/08	21
08/09	8
Total	59

### Stranmillis College and Queen's University: Proposed Merger

**Mr Easton** asked the Minister for Employment and Learning for an update on the stage the business case for the proposed merger of Stranmillis College and Queen's University is at. (AQW 8425/09)

**The Minister for Employment and Learning:** The business case was received in the Department in May. The business case is currently being reviewed internally and work is ongoing, in conjunction with Stranmillis University College, to finalise it. Once officials within my Department are content with it, the business case will be forwarded to DFP for its consideration.

### Northern Regional College: GSCE Classes

**Mr G Robinson** asked the Minister for Employment and Learning how many students were enrolled in GSCE classes at the Northern Regional college campuses in (i) Limavady; and (ii) Coleraine, in 2008/2009. (AQW 8434/09)

**The Minister for Employment and Learning:** In the 2008/09 academic year there were 296 student enrolments on GCSE classes at the Limavady campus of the North West Regional College, and 190 student enrolments on GCSE classes at the Coleraine campus of the Northern Regional College. This is 'snapshot' data as at 1 February 2009. Validated full-year data will be available in December 2009.

It is important to note that the Limavady campus is part of the North West Regional College and not the Northern Regional College as the question suggests.

**Source:** Further Education Statistical Record

### Night Classes

**Mr G Robinson** asked the Minister for Employment and Learning what action his Department is taking to maximise the number of people enrolling in night classes in 2009/10. (AQW 8435/09)

**The Minister for Employment and Learning:** Each Further Education College has responsibility for the marketing of its courses. Colleges employ various incentives to encourage enrolment in evening classes including:

- increasing the availability of provision in community settings;
- engaging with employers in encouraging staff to consider Further Education;
- offering fee reductions where appropriate; and
- advertising through local media campaigns to raise awareness.

College promotional material is also displayed in Jobs and Benefits Offices, Careers Offices, libraries, and other public buildings and venues.

### Northern Regional College: Access Courses

**Mr Savage** asked the Minister for Employment and Learning how many students were enrolled on Access courses at the Northern Regional College campuses in (i) Limavady; and (ii) Coleraine in 2008/09. (AQW 8436/09)

**The Minister for Employment and Learning:** In the 2008/09 Academic year there were 66 student enrolments on Access to HE courses at the Limavady campus of the North West Regional College, and 112 student enrolments on Access to HE courses at the Coleraine campus of Northern Regional College. This is 'snapshot' data as at 1 February 2009. Validated full-year validated data will be available in December 2009.

It is important to note that the Limavady campus is part of the North West Regional College and not the Northern Regional College as the question suggests.

**Source:** Further Education Statistical Record

### Education Provision in West Belfast

**Mr Butler** asked the Minister for Employment and Learning to outline what plans his Department has to develop further education provision in west Belfast over the next 5 years. (AQW 8442/09)

**The Minister for Employment and Learning:** Belfast Metropolitan College and South Eastern Regional College remain committed to providing a wide range of provision tailored to meet local needs, through their campuses and outreach centres in the Greater West Belfast area. Courses will continue to be offered at community level where it is practicable and viable to do so.



Planning approval has been granted and the final design is nearing completion for a new £16m, 4800m<sup>2</sup> BMC Economic Development Campus, at Springvale. The new campus will cater for higher education students, adult learners, start-up companies, local businesses and community organisations in the Greater West Belfast area.

### Apprenticeships

**Ms Ní Chuilín** asked the Minister for Employment and Learning (i) how many apprenticeships have been affected since the economic crisis; and (ii) which constituency has been most affected. (AQW 8446/09)

**The Minister for Employment and Learning:** Management Information collected by the Department in relation to apprentices who have left the Apprenticeship provision is included in a broader “early leaver” destination category. Consequently, the Department cannot say categorically whether these apprentices have left due to the current economic crisis, as people leave both training and employment for a wide variety of reasons. The Department is not in a position to break these numbers down by constituency. However, the following table provides a breakdown by City/Town based on the address given of each apprentice.

From 1st September 2008 until 18 June 2009, the following numbers of apprentices have been recorded as being “early leavers”:

AGHADOWEY	1	FINTONA	1
ANTRIM	47	FIVEMILETOWN	10
ARDGLASS	1	FLORENCECOURT	3
ARMAGH	25	GARRISON	1
ARTICLAVE	2	GARVAGH	2
AUGHER	3	GLENGORMLEY	4
AUGHNACLOY	2	GREENISLAND	1
BALLINAMALLARD	2	GREYSTEEL	1
BALLYCASTLE	15	HILLSBOROUGH	4
BALLYCLARE	19	HOLYWOOD	6
BALLYGOWAN	1	IRVINESTOWN	7
BALLYHALBERT	2	KEADY	3
BALLYMENA	84	KESH	9
BALLYMONEY	31	KILKEEL	3
BALLYNAHINCH	13	KILREA	1
BALLYNURE	1	LARNE	21
BANBRIDGE	15	LIFFORD	1
BANGOR	23	LIMAVADY	28
BELCOO	3	LISBELLAW	3
BELFAST	292	LISBURN	39
BELLEEK	2	LISNASKEA	5
BENBURB	2	LONDONDERRY	97
BESSBROOK	1	LOUGHGALL	1
BREADY	1	LURGAN	10
BUSHMILLS	2	MACOSQUIN	1
CALEDON	3	MAGHERA	17
CARRICKFERGUS	28	MAGHERAFELT	38

CARRYDUFF	1	MAGHERALIN	1
CASTLEDAWSON	2	MAGUIRESBRIDGE	1
CASTLEDERG	13	MILLISLE	1
CASTLEWELLAN	3	MOIRA	1
CLOGHER	12	MONEYMORE	2
CO.ANTRIM	1	NEWBUILDINGS	1
CLOUGHEY	1	NEWCASTLE	5
CO TYRONE	2	NEWRY	53
CO.FERMANAGH	1	NEWTOWNABBEY	53
COLERAINE	52	NEWTOWNARDS	28
COMBER	2	NEWTOWNBUTLER	2
COOKSTOWN	19	OMAGH	67
CRAIGAVON	32	PORTADOWN	20
CROSSMAGLEN	1	PORTAVOGIE	1
CRUMLIN	15	PORTGLENONE	1
CULLYBACKEY	1	PORTRUSH	10
CUSHENDALL	1	PORTSTEWART	2
DERRY	1	RANDALSTOWN	12
DERRYGONNELLY	1	RASHARKIN	1
DERRYLIN	2	REDHILLS	1
DERVOCK	1	ROSLEA	3
DOAGH	2	ROSSINVER	1
DONAGHADEE	7	ROSTREVOR	1
DOWNPATRICK	32	SEAPATRICK	2
DRAPERSTOWN	1	SION MILLS	2
DROMARA	1	SIXMILECROSS	1
DROMORE	12	STEWARTSTOWN	3
DRUMQUIN	1	STRABANE	33
DUNDALK	1	TEMPO	3
DUNDONALD	5	TOBERMORE	3
DUNGANNON	42	TOOMEBRIDGE	5
DUNGIVEN	2	TRILLICK	6
DUNMURRY	2	WHITEHEAD	1
ENNISKILLEN	43		

Furthermore, many of the apprentices listed above will have found alternative employment, or will have availed of the Department's contingency arrangements for redundant apprentices for those affected in the key skills areas of Motor Vehicle, Engineering and Construction. A survey of those areas has shown that since 1 April 2009, 493 apprentices have been made redundant. This total can be broken down as follows:

- Construction – 288
- Engineering – 161
- Motor Vehicle – 44

## Apprenticeships

**Ms Ní Chuilín** asked the Minister for Employment and Learning (i) to detail the number of apprenticeships of which his Department is aware, broken down by constituency; and (ii) how many apprenticeships his Department has supported since May 2007. (AQW 8447/09)

**The Minister for Employment and Learning:** The Department has supported 13,867 apprentices between 1 May 2007 and 17 June 2009. Annex A reflects the current occupancy at 19 June 2009 for Apprenticeships programmes. The Department is not in a position to break these numbers down by constituency. The data provides a breakdown by City/Town based on the address given by each apprentice.

### ANNEX A

#### CURRENT OCCUPANCY AT 18 JUNE 2008 FOR APPRENTICESHIPS PROGRAMMES

##### \*APPRENTICESHIPS OCCUPANCY BY TOWN AT 17 JUNE 2009

	Sum		Sum
AGHADOWEY	2	GARRISON	5
AGHALEE	2	GARVAGH	5
AHOGHILL	8	GARVARY	1
ALDERGROVE	1	GILFORD	12
ANNALONG	2	GLARRYFORD	1
ANTRIM	220	GLENARM	1
ARDBOE	2	GLENNAVY	5
ARDGLASS	2	GLENGORMLEY	17
ARMAGH	242	GORTIN	1
ARMOY	1	GREENISLAND	3
ARNEY	1	GREENWOOD	1
ARTICLAVE	1	GREYABBEY	6
AUGHER	8	GREYSTEEL	7
AUGHNACLOY	20	GROOMSPORT	1
BALLINAMALLARD	16	HAMILTONSBAWN	1
BALLYCARRY	3	HILLSBOROUGH	22
BALLYCASSIDY	1	HILLTOWN	1
BALLYCASTLE	40	HOLYWOOD	39
BALLYCLARE	152	IRVINESTOWN	40
BALLYGAWLEY	5	ISLANDMAGEE	3
BALLYGOWAN	9	KEADY	12
BALLYHALBERT	4	KELLS	3
BALLYKELLY	11	KESH	17
BALLYKINLAR	3	KILKEEL	28
BALLYMAGORRY	3	KILLEA	1
BALLYMARTIN	1	KILLEN	1
BALLYMENA	498	KILLINCHY	1

	Sum		Sum
BALLYMONEY	139	KILLOUGH	1
BALLYNAHINCH	95	KILLYLEAGH	11
BALLYROBERT	1	KILREA	5
BALLYSHANNON	1	KINAWLEY	7
BALLYWALTER	3	KIRCUBBIN	1
BALNAMORE	1	KNOCKLOUGHRIM	1
BALYMENA	1	LACK	2
BANBRIDGE	144	LAMBEG	2
BANGOR	237	LARNE	162
BELCOO	6	LAWRENCETOWN	1
BELFAST	1897	LEITRIM	1
BELLAGHY	4	LENADERG	1
BELLANALECK	1	LETTERBREEN	3
BELLEEK	7	LETTERKENNY	2
BERAGH	5	LIFFORD	4
BESSBROOK	2	LIMAVADY	149
BLEARY	2	LINASKEA	1
BOA ISLAND	1	LISAHALLY	1
BOHO	1	LISBELLAW	11
BRIDGEND	1	LISBURN	314
BROOKEBOROUGH	9	LISNARICK	1
BROUGHSHANE	1	LISNASKEA	70
BUNCRANA	2	LONDONDERRY	521
BURNFOOT	1	LOUGHGALL	3
BUSHMILLS	12	LOUGHGUILE	1
CALEDON	2	LURGAN	119
CAMLOUGH	1	MACKEN	1
CARNDONAGH	1	MAGHABERRY	4
CARNLOUGH	4	MAGHERA	67
CARNMONEY	1	MAGHERAFELT	185
CARRICKFERGUS	227	MAGHERALIN	1
CARRICKMORE	2	MAGHERAVEELY	2
CARRIGANS	1	MAGILLIGAN	1
CARROWDORE	2	MAGUIRESBRIDGE	19
CARRYDUFF	4	MALLUSK	2
CASTLEBLAYNEY	2	MARKETHILL	4
CASTLEDAWSON	10	MAYOBRIDGE	4
CASTLEDERG	53	MEIGH	2
CASTLEREAGH	1	MIDDLETOWN	2



	Sum		Sum
CASTLEROCK	4	MILFORD	2
CASTLESHANE	1	MILLISLE	9
CASTLEWELLAN	43	MOIRA	10
CAVAN	2	MONAGHAN	1
CHANTERHILL	1	MONEA	1
CLADY	1	MONEYMORE	9
CLAUDY	2	MONEYREAGH	1
CLOGHER	17	MONKSTOWN	2
CLONES	2	MOORTOWN	1
CLONMANY	1	MOUNTFIELD	1
CLOUGH	1	MOY	1
CLOUGHEY	1	MUFF	1
CLOUGHMILLS	2	NEWBUILDINGS	1
CO ANTRIM	10	NEWCASTLE	48
CO ARMAGH	5	NEWMILLS	1
CO DOWN	39	NEW MOSSLEY	1
CO FERMANAGH	26	NEWRY	518
CO LONDONDERRY/DERRY	34	NEWTOWNABBEY	357
CO TYRONE	25	NEWTOWNARDS	281
COAGH	4	NEWTOWNBUTLER	16
COALISLAND	7	NEWTOWNHAMILTON	1
COLERAINE	217	NEWTOWNSTEWART	10
COMBER	22	OMAGH	331
CONLIG	1	OMEATH	2
COOKSTOWN	172	PARKGATE	1
CRAIGAVON	228	PETTIGO	1
CRAWFORDSBURN	2	POMEROY	1
CROSSGAR	10	PORTADOWN	134
CROSSMAGLEN	1	PORTAFERRY	3
CRUMLIN	63	PORTAVOGIE	2
CULLYBACKEY	4	PORTGLENONE	10
CULLYHANNA	1	PORTRUSH	29
CUSHENDALL	2	PORTSTEWART	23
CUSHENDUN	2	RANDALSTOWN	51
DERRIAGHY	1	RAPHOE	1
DERRY	25	RASHARKIN	1
DERRYBEG	1	RATHFRILAND	9
DERRYGONNELLY	5	REDHILLS	1
DERRYLIN	11	RICHHILL	5

	Sum		Sum
DERVOCK	1	ROSLEA	20
DESERTMARTIN	1	ROSSINVER	1
DOAGH	6	ROSTREVOR	4
DOLLINGSTOWN	2	SAINTFIELD	5
DONAGHADEE	40	SCARVA	2
DONAGHCLONEY	13	SEAFORDE	1
DONEGAL	1	SILVERBRIDGE	2
DONEMANA	6	SION MILLS	7
DOWNPATRICK	166	SIXMILECROSS	2
DRAPERSTOWN	9	ST JOHNSTON	3
DROMARA	9	STEWARTSTOWN	3
DROMORE	75	STONEYFORD	1
DRUMAHOE	1	STRABANE	172
DRUMANESS	1	STRANGFORD	1
DRUMBO	3	STRATHFOYLE	1
DRUMQUIN	3	SWANLINBAR	1
DUNAMANAGH	2	SWATRAGH	2
DUNDALK	3	TANDRAGEE	10
DUNDONALD	30	TAUGHMONAGH	1
DUNDROD	2	TEMPLEPATRICK	5
DUNGANNON	338	TEMPO	18
DUNGIVEN	26	TOBERMORE	4
DUNMURRY	25	TOOMEBRIDGE	31
DUNDONALD	1	TRILICK	13
EDERNEY	4	TULLY	1
EGLINTON	3	UPPER BALLINDERRY	1
EMYVALE	1	UPPERLANDS	3
ENNISKILLEN	172	WARINGSTOWN	3
FEENY	2	WARRENPOINT	15
FERMANAGH	1	WHITEABBEY	4
FINAGHY	1	WHITECROSS	1
FINTONA	6	WHITEHEAD	6
FIVEMILETOWN	27		
FLORENCECOURT	2		
FROSSAS	1	Sum	10269

### Enterprise Ulster

**Ms Ní Chuilín** asked the Minister for Employment and Learning to outline any plans his Department has replace Enterprise Ulster. (AQW 8448/09)

**The Minister for Employment and Learning:** My Department has no plans to establish a body to replace Enterprise Ulster. All of the Department's employment and training programmes are now procured via competitive tendering processes. This approach offers best value for money.

### Foreign Students Attending University

**Mr Easton** asked the Minister for Employment and Learning how many foreign students are attending university, in the academic year 2008/09. (AQW 8477/09)

**The Minister for Employment and Learning:** In the 2007/08 academic year there were 5,030 students enrolled at Northern Ireland Higher Education institutions whose domicile was outside the UK. Of these 5,030 students, 3,720 were domiciled inside the European Union.

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) This figure has been rounded to the nearest 5.
- (2) The latest available data are for 2007/08.

### Stranmillis College and Queen's University: Proposed Merger

**Mr Easton** asked the Minister for Employment and Learning what would be the financial cost if the proposed merger between Stranmillis College and Queens University goes ahead. (AQW 8479/09)

**The Minister for Employment and Learning:** You will understand that I can only comment on costs that will affect my Department. It is my understanding that should the merger proceed, it will be neutral in budgetary terms. Both Stranmillis University College and Queen's University are funded on the basis of student numbers and research activity carried out. There are no proposals that the number of students at the merged institution will be greater than the number attending both institutions at present. My Department will also need to await the outcome of the next research assessment exercise, which is several years off, to learn if there is any impact on overall research funding.

### People with Disabilities Seeking Employment

**Mr Butler** asked the Minister for Employment and Learning for his assessment of the barriers facing people with disabilities seeking to move from benefits to employment. (AQW 8496/09)

**The Minister for Employment and Learning:** There is a wide range of possible barriers facing people with disabilities moving from benefits to employment. The barriers faced by each disabled person will be individual to them and may consist of one or multiple barriers to moving from benefit to enter and sustain work. Some of the barriers, which may be real or perceived, include the following: lack of qualifications, skills, potential loss of benefits, nature of disability, level of disability, employer attitudes, lack of confidence, fear of moving from their comfort zone, lack of information about in-work benefits, lack of knowledge of support, lack of knowledge of local/wider job opportunities, economic downturn, age, travel difficulties, carers/parents concerns, low self esteem, etc.

### Disablement Employment Advisers

**Mr Butler** asked the Minister for Employment and Learning in relation to Disablement Employment Advisers (i) how many there are at present; (ii) how many there were prior to 2006; and (iii) the reasons for this function being withdrawn. (AQW 8497/09)

**The Minister for Employment and Learning:** There is presently a complement of 33 Pathways Team Leaders and 130 Pathways Personal Advisers delivering services to the Department's clients who have a disability or a health condition. Prior to 2006 there was a complement of 25 Disablement Employment Advisers in place.

The functions of the Disablement Employment Advisers were not withdrawn, but integrated with those of the Pathways to Work Team Leaders. This decision was made to utilise the knowledge and experience of the Disablement Employment Advisers in relation to disability and employment and enable them to share their expertise with their teams of Pathways Personal Advisers in order to provide a service to the much larger customer group.

### **Pathways Advisory Service**

**Mr Butler** asked the Minister for Employment and Learning whether his Department will be carrying out an Equality Impact Assessment of the new employment service delivery model, Pathways Advisory Service.  
(AQW 8498/09)

**The Minister for Employment and Learning:** The Department carried out a Preliminary Equality Impact Assessment of Pathways to Work for Incapacity Benefit clients in December 2007. The assessment found that there were no significant adverse implications for equality of opportunity.

### **Employment and Training Sectors**

**Mr Butler** asked the Minister for Employment and Learning whether or not his Department, in conjunction with other Departments will mainstream funding for the supported employment and training sectors when European funding comes to an end in 2013.  
(AQW 8499/09)

**The Minister for Employment and Learning:** With the uncertainty over both the level of public sector funding available post 2011 and the availability to Northern Ireland of European funding when the current Programmes cease in 2013; it is not possible to make firm commitments on funding of specific sectors beyond the current Budget 2008-11.

### **Employment Service Delivery Model**

**Mr Hilditch** asked the Minister for Employment and Learning for his assessment of the interim evaluation of the employment service delivery model carried out in August 2008.  
(AQW 8501/09)

**The Minister for Employment and Learning:** The Employment Service piloted a number of new initiatives and approaches to the way it delivers its business. The pilot grouped together innovations including new services for Lone Parents through Pathways for Lone Parents, the new Steps to Work provision and a delivery model which tested new training arrangements for Personal Advisers and some internal organisational restructuring designed to ensure that a client retains the same Personal Adviser as far as possible.

The Interim Evaluation found some positive points, identified some areas where the Department could improve and found that in some areas more information was required before a definitive conclusion could be made on whether aspects of the pilot were successful. Following the interim evaluation, new provision has been introduced for lone parents for example a 'Return to Work' credit and Steps to Work has been rolled out. The Department has learned from the Interim Evaluation and is taking forward its findings as part of ongoing organisational development.

### **Fostering Scheme for Apprentices**

**Mr Hilditch** asked the Minister for Employment and Learning to detail the companies that are involved in the fostering scheme for apprentices.  
(AQW 8502/09)

**The Minister for Employment and Learning:** To date one engineering company in the north-west has taken up the Fostering Scheme and has employed one apprentice.



## Stranmillis University College and Queen's University: Proposed Meger

**Mr Hilditch** asked the Minister for Employment and Learning for an update on the merger of Stranmillis University College and Queen's University. (AQW 8503/09)

**The Minister for Employment and Learning:** Before such a merger can proceed, a business case for the proposal must be considered and approved by my Department and the Department of Finance and Personnel to ensure that it meets HM Treasury 'Green Book' standards. Work on a business case has been progressing over several months and a final copy was submitted to my Department by Stranmillis in May. This is currently being considered by officials and, if found to be in order, will be forwarded to DFP for consideration and approval, and then to myself, as Minister.

If the business case is approved, the Department will have to take a policy decision on the proposal before any further steps are taken.

## Steps to Work Programme

**Mr Kennedy** asked the Minister for Employment and Learning how many people successfully started each of the Steps to Work, strand 2 options within the recommended 4 week period, broken down by each office area in Co. Antrim. (AQW 8564/09)

**The Minister for Employment and Learning:** At 29 May 2009 a total of 1,221 starts were recorded on the Steps to Work programme Step 2 within the recommended 4 week period since the programme started on 29 September 2008. A breakdown by office area within County Antrim is set out below:

County Antrim Offices	Back To Work	Essential Skills	NVQs	Qualifications	Self Employment Test Trading	Total
Antrim	1	0	2	7	2	12
Ballymena	16	4	4	1	2	27
Belfast North	88	10	23	13	1	135
Ballymoney	7	1	16	3	1	28
Carrickfergus	3	0	1	3	1	8
Falls Road	147	50	65	52	1	315
Andersonstown	234	30	60	25	7	356
Larne	25	3	2	0	5	35
Lisburn	28	7	11	14	1	61
Newtownabbey	45	6	15	6	7	79
Shankill	60	42	10	16	1	129
Shaftesbury Square	10	1	6	15	4	36
<b>Total</b>	<b>664</b>	<b>154</b>	<b>215</b>	<b>155</b>	<b>33</b>	<b>1,221</b>

## Steps to Work Programme

**Mr Kennedy** asked the Minister for Employment and Learning how many people did not start any of the Steps to Work, strand options within the recommended 4 week period, broken down by each office area in Co. Antrim and to give the reason. (AQW 8565/09)

**The Minister for Employment and Learning:** At 29 May 2009 a total of 1,994 people had not started the Steps to Work Strand 2 options within the recommended 4 week period. A breakdown by office area within County Antrim is set out below. The reasons for not meeting the 4 week threshold are not gathered, though feedback from Lead Contractors and Departmental staff would indicate that the economic downturn, layoffs

and redundancies have had a significant adverse impact on the number of work placements available and on the volume of work in offices.

County Antrim Offices	Outside 4 week period
Antrim	117
Ballymena	137
Belfast North	286
Ballymoney	173
Carrickfergus	73
Falls Road	220
Andersonstown	367
Larne	81
Lisburn	102
Newtownabbey	123
Shankill	108
Shaftesbury Square	207
<b>Total</b>	<b>1,994</b>

### Steps to Work Programme

**Mr Kennedy** asked the Minister for Employment and Learning how many people from the Steps to Work provision, successfully gained employment, in each office area in Co.Antrim. (AQW 8566/09)

**The Minister for Employment and Learning:** As participation on Steps to Work can last up to a maximum of 52 weeks, it is too early at this stage to provide any meaningful information on employment outcomes.

### Adults with Learning Disabilities

**Mr P Ramsey** asked the Minister for Employment and Learning to outline what strategies and programmes are in place to deliver education and training to adults with learning disabilities. (AQW 8654/09)

**The Minister for Employment and Learning:** The Department has a range of programmes and support in place to deliver education and training to adults with learning difficulties and/or disabilities.

#### Further Education

Further Education (FE) Colleges offer a wide range of mainstream and discrete courses for adults with learning difficulties. The Department, through the Additional Support Fund, provides £3.5m to meet any additional technical and/or personal support required for these FE students.

#### Disablement Advisory Service

The Department's Disability Advisory Service funds residential training provision for people with disabilities, including those with learning disabilities.

#### Careers Service

The Department's Careers Service provides impartial, all-age Careers Information, Advice and Guidance service to adults with learning disabilities.

#### Training Programmes

The Department's Training for Success and Apprenticeship training programmes are accessible to adults with learning disabilities. Specialist support is available to such participants, based on an assessment of their additional training needs.

### PhD Research Students

**Mr P Ramsey** asked the Minister for Employment and Learning (i) to outline progress against the PfG goal of increasing by 300 the number of PhD research students at local universities by 2010; and (ii) to detail the subject areas being researched by the new PhD students. (AQW 8657/09)

**The Minister for Employment and Learning:** The Programme for Government commitment to increase by 300 the number of PhD research students at local universities by 2010 remains on target. The initial uplift of 100 students in the annual intake took place as scheduled in Academic Year 2008/09 while the increase for Academic Year 2009/10 is currently being progressed. The target will be completed with the final intake of 100 additional PhD students in Academic Year 2010/11.

Students enrolled through these additional awards are carrying out research within economic priority areas as agreed with the Department of Enterprise, Trade and Investment and informed by MATRIX, the Northern Ireland Science and Industry Panel. These include agri-food, life and health sciences (including behavioural), advanced materials, engineering, information and communication technologies, electronics, software engineering, construction, creative media and financial services.

### Skillfast/UK

**Mr Newton** asked the Minister for Employment and Learning for his assessment of the role being played by Skillfast-UK in assisting fashion and textile companies to develop the skills of their workforce; and if he will support its bid to be re-licensed. (AQW 8660/09)

**The Minister for Employment and Learning:** Arrangements are in place to take forward the Sector Skills Council Reform and Relicensing process. The Department is fully involved in this, and along with the other devolved nations and sponsor Whitehall Departments, provides the National Audit Office with feedback on Sector Skills Council performance, as part of the assessment exercise. The UK Commission for Employment and Skills then comes to a view and makes a recommendation to the government sponsors; in advance of this recommendation a Sector Skills Council has the opportunity to appeal the UK Commission's recommendation.

Skillfast-UK is currently appealing the UK Commission for Employment and Skills' recommendation that they have not met the required standard for relicensing. The other co-sponsor Ministers and I are currently awaiting the outcome of this appeal, and the subsequent UK Commission recommendation to government. Until then, it is inappropriate for me to comment further.

### Queen's University and Stranmillis University College: Proposed Merger

**Mr T Clarke** asked the Minister for Employment and Learning whether the proposed merger of Queen's University and Stranmillis University College will result in any compulsory redundancies of lecturers and teaching fellows employed by Stranmillis University College. (AQW 8726/09)

**The Minister for Employment and Learning:** When Stranmillis University College and Queen's University voluntarily agreed to merge, the Governing Bodies of both institutions agreed a set of guiding principles for the merger process. The second principle states that, "there will be full consultation with all staff and Trade Unions. Staff will transfer under TUPE with their terms and conditions protected and will remain in their current pension schemes. No compulsory redundancies will arise as a direct result of this merger." Queen's has also separately stated that there will be no compulsory redundancies arising from its recently approved 2009 Academic Plan and that the announced redundancies at Queens University apply only to Queens University staff.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Marine Issues

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment to detail (i) the number of staff, and their relevant grade, in her Department who have responsibility for marine issues; and (ii) the annual total cost of marine specific work to her Department. (AQW 8462/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** Please see table below.

(i) No. of staff and relevant grade within DETI* who have responsibility for marine issues	(ii) Total annual cost of marine specific work (2008/09)
<b>HSENI</b>	£5120
2 Principal Health and Safety Inspectors - 10 % of time (combined)	
1 Senior Medical Employment Adviser (SMEA)	**
<b>Energy Market</b>	
1 x Grade 5 – 5%	£3734
<b>Sustainable Energy</b>	
2 x Grade 7 - 5%	£5848
1 x Deputy Principal - 5%	£2171
1 x Staff Officer - 5%	£1665
1 x Grade 7 (part time) – 10%,	£4094
1 x Deputy Principal - 60%	£26056
<b>Total</b>	<b>£48,688</b>

\* Includes NDPBs

\*\* The SMEA is seconded long term from DHSSPS and salary costs are not incurred by DETI and hence have not been included in the total overall total costs

### Invest NI

**Mr Butler** asked the Minister of Enterprise, Trade and Investment to outline the efforts of Invest NI to secure inward investment in the west Belfast constituency, in each of the last 5 years. (AQW 8466/09)

**The Minister of Enterprise, Trade and Investment:** Invest NI's efforts to market the attractions of the West Belfast PCA have been rewarded in that during the 5 year period from 2004-05 to 2008-09, it offered nearly £10 million of assistance to externally-owned projects (inward investment) willing to locate there. These projects planned to invest £37 million in the area and included five employment-related offers of support. These five offers amounted to nearly £8 million of assistance, which contributed towards projects that planned to invest £28.3 million and create nearly 900 new jobs in companies such as LBM Holdings. The remaining £2 million was offered to innovation projects by externally-owned clients that planned to invest £9 million in West Belfast.

Invest NI's commitment to attract investment to the area is witnessed by its investment in industrial land. 7 out of Invest NI's 40 industrial parks across Northern Ireland are located in the constituency. These account for 190 acres of which 31.5 acres remain available to clients. This includes the Forthriver Business Park where Invest NI has invested in excess of £12m in acquisition, clearance and development of the site, delivering 12.7 acres of serviced sites. Specifically between April 2004 and March 2009, Invest NI sold or leased 15.4 acres of land to clients and almost 96,000 square feet of workspace

While support to externally-owned clients is important so is that to locally-owned clients. In the same five year period Invest NI offered over £8 million of assistance to 261 locally-owned projects that planned to invest nearly £29 million in West Belfast. Furthermore, 612 offers, amounting to £255,000, were made to local individuals intending to set up a business in West Belfast through the Start A Business programme.

Turning to Belfast as a whole, between 2004 - 05 and 2008 - 09, Invest NI offered £195 million of assistance to externally-owned projects in the Belfast Travel To Work Area (TTWA). These projects planned to invest almost £1.5 billion in the area and included 111 employment-related offers of support. These 111 projects were offered



nearly £150 million and planned to create nearly 10,700 new jobs and safeguard almost 2,500 existing jobs, whilst investing £1.3 billion in the area. Invest NI offered the remaining support of £45 million to innovation projects by externally-owned clients that planned to invest £191 million in the area.

The benefits associated with business development are not constrained by local boundaries, which are not self-contained labour markets. 61% of the inward investment projects locating within the Belfast TTWA were concentrated within a 3 mile radius of the city centre which, because of its accessible central location, provides readily accessible employment opportunities for those living in West Belfast, across the city and, indeed, throughout the wider region. NI Census, data, for example, shows that 55% of those who work in Belfast DCA reside in other areas.

Assistance patterns are largely demand-led by businesses wishing to improve their competitiveness and gain a larger share of international markets and Invest NI's role is therefore to promote all of Northern Ireland as an attractive and viable location for inward investment opportunities. As such, its promotional effort is not sub-divided into regions as to do so would be ineffective, inefficient and ultimately confusing to the client.

Invest NI is conscious of the impact of global economic conditions and, despite the fact that there is evidence of companies deferring investment decisions and reviewing business strategies, the agency continues to pursue opportunities in new and emerging sectors where there is potential for further foreign direct investment to Northern Ireland.

## DEPARTMENT OF THE ENVIRONMENT

### Taxis Act

**Mr McGlone** asked the Minister of the Environment how the Taxis Act has benefited reputable taxi depots and licensed drivers. (AQW 8394/09)

**The Minister of the Environment (Mr S Wilson):** As the Taxis Act still has to be implemented no benefits have been seen yet. However, I have agreed that my officials will develop an operator registration scheme by December 2009. This voluntary scheme will allow taxi depot owners to register their businesses free of charge and this in turn will enable the Department to build up a more comprehensive picture of the industry and keep operators and drivers up to date with the changes as they are happening. Following the implementation of this scheme, legislation will be put in place to provide for a permit scheme and we intend to move to full operator licensing by 2012-13. This Autumn my Department hopes to make the first Commencement Order for the Taxis Act. This will improve powers to deal with illegal taxis and ease the burden on legitimate taxi drivers and operators. In addition, we have been working to increase significantly the resources devoted to taxi enforcement. Officials have also been developing proposals for a new taximeter specification which will help those drivers/owners intending to buy taximeters to decide what to purchase. Alongside work on the Act we have developed a suite of taxi fixed penalty offences for inclusion in the recent consultation on a fixed penalty and deposit scheme. It is intended that these fixed penalties will be in place by March 2010 and that, by making enforcement easier, they will free up officers to deal with illegal taxiing more effectively.

### Taxis Operator's Licence

**Mr McGlone** asked the Minister of the Environment for an update on the progress of introducing a taxi operator's licence. (AQW 8395/09)

**The Minister of the Environment:** When the Taxis Act was enacted it was proposed that operator licensing would be one of the first changes the industry would experience. However, the resources available for the implementation of the Act have been limited and other priorities such as the day care nursery exemption scheme and a wider review of courtesy and incidental transport have prevented the Department from making as much progress as expected. However, on 15 June I agreed that my officials should develop and implement a taxi operator registration scheme by December 2009. This voluntary scheme will be free to operators and will serve as a forerunner first to a permit scheme and then to full operator licensing. It will allow the Department to build up a more comprehensive picture of the industry and facilitate the introduction in due course of a more effective

licensing scheme. The permit scheme and full operator licensing will require new regulations and work will begin on these as soon as possible after the effectiveness of the registration scheme has been assessed. It is hoped that full operator licensing will be in place by 2012-13.

### Northern Ireland Environment Agency

**Mr Ford** asked the Minister of the Environment what independent scrutiny measures he intends to introduce to monitor the success of the revised Northern Ireland Environment Agency Enforcement and Prosecution policy. (AQW 8419/09)

**The Minister of the Environment:** The purpose of the revised Enforcement Policy is to ensure a balanced approach to regulation and enforcement as part of the Northern Ireland Environment Agency's Better Regulation Programme and to outline the powers employed by enforcement staff. The Criminal Justice Inspectorate provides an important scrutiny role for DOE enforcement, their first inspection report having been published in October 2007. A follow up inspection of the Department's policies and procedures is scheduled for December 2009.

### Office of Environmental Enforcement

**Mr Ford** asked the Minister of the Environment (i) how many staff have been recruited to work in the Office of Environmental Enforcement; and (ii) how much funding has been allocated annually to this office. (AQW 8420/09)

**The Minister of the Environment:** The Northern Ireland Environment Agency's Environmental Crime Unit currently employs 33 staff. Its total budget for this year is £1.6m.

### Office of Environmental Enforcement

**Mr Ford** asked the Minister of the Environment (i) how many successful prosecutions for environmental crimes have been taken; and (ii) how many cases are pending, since the Office of Environmental Enforcement was set up in December 2008. (AQW 8421/09)

**The Minister of the Environment:** Since December 2008, NIEA's Environmental Crime Unit has overseen 22 successful prosecutions for environmental crimes; 56 further cases are currently going through the court system.

### Marine Issues

**Mr Durkan** asked the Minister of the Environment to detail (i) the number of staff, and their relevant grade, in his Department who have responsibility for marine issues; and (ii) the annual total cost of marine specific work to his Department. (AQW 8460/09)

**The Minister of the Environment:** The details requested are as follows and cover the 2008/09 financial year:

#### Planning and Natural Resources Division

- (i) Unified Grade 6 (x 1)  
Unified Grade 7 (x 2)  
Principal Legal Officer (x 1)  
Deputy Principal (x 3)  
Staff Officer (x 2)
- (ii) The annual total cost of marine-specific work for this Division was £281,000.

#### Conservation Science

- (i) Unified Grade 7 (x 1)  
Senior Scientific Officer (x 2)  
Higher Scientific Officer (x 2)  
Scientific Officer (x 1)

- (ii) The annual total cost of marine-specific work for this unit was £423,000.

#### **Protecting Historic Monuments**

- (i) Curatorial D (x 1)  
Curatorial E (x 1)  
Contract staff (x 3)
- (ii) The annual total cost of marine-specific work for this unit was £175,000.

#### **Water Management Unit**

- (i) Principal Scientific Officer (x 1)  
Senior Scientific Officer (x 3)  
Higher Scientific Officer (x 10)  
Scientific Officer (x 15)  
Assistant Scientific Officer (x 1)  
Support Grade Band 2 (x 1)  
Administrative Assistant (x 1)  
Professional & Technical Officer (x 1)
- (ii) The annual total cost of marine-specific work for this unit was £1,680,294.

The above figures include staff costs which have been calculated using the Department's Ready Reckoner for the 2008/09 financial year.

### **Habitat for Cormorants**

**Mr Shannon** asked the Minister of the Environment what steps he is taking to improve the habitat for cormorants; and are there any areas in Northern Ireland where they thrive. (AQW 8488/09)

**The Minister of the Environment:** Cormorants breed at Sheep Island and The Gobbins, both in Co Antrim and at Bird Island, Co Down.

In winter, important populations occur in Lough Neagh, along the Outer Ards coast and in Strangford, Belfast and Carlingford Loughs.

To date no positive habitat management has been undertaken at locations where Cormorants breed.

A decline in breeding numbers currently being observed at one site may result in future site based intervention.

Feeding areas used year round by Cormorant benefit from wider measures addressing water quality.

### **Habitat for Cormorants**

**Mr Shannon** asked the Minister of the Environment how many cormorants inhabit Northern Ireland. (AQW 8490/09)

**The Minister of the Environment:** Cormorant occurs in Northern Ireland both as a breeding and wintering species.

Not all Cormorant breeding sites are surveyed annually. The full breeding population was last surveyed as part of the Seabird 2000 programme. The total population in Northern Ireland at that time was 663 pairs.

Annual counts of breeding birds take place at Sheep Island, Co Antrim. This has been the most important breeding site for this species. Here the population has declined from 344 pairs 10 years ago, to 287 pairs in 2005. This year 187 pairs were recorded. The reason for this decline is not clear.

In winter, important populations occur in Lough Neagh, along the Outer Ards coast and in Strangford, Belfast and Carlingford Loughs.

The most recent comprehensive estimate for the wintering population in Northern Ireland is from 2006/07 when a total of 3,100 birds were counted. This is close to the average population noted for the period 2002/03 – 2006/07.

## Control of Raptors

**Mr Shannon** asked the Minister of the Environment if he is aware of the result of the NOP market research, that 57% of people feel that the control of raptors is necessary and that 80% of those polled agree that all help must be given to maintain birds that are being reduced by rising number of raptors. (AQW 8491/09)

**The Minister of the Environment:** The Northern Ireland Environment Agency (NIEA) is not aware of this market research.

There is a view among certain groups that populations of birds of prey (raptors) are increasing and that they are impacting on other populations of birds, especially songbirds.

It must be noted that many of our raptor species are the subject of special conservation measures both nationally and at a European level.

Sparrowhawk has particularly been singled out as a raptor impacting on songbird populations.

Studies have shown that at a national level, there is no evidence that increased numbers of Sparrowhawks have caused declines in songbirds.

A range of studies led the RSPB to conclude that there is no scientific evidence that Sparrowhawks or other birds of prey have had an effect on populations of songbirds.

A range of organisations involved in bird conservation (including the various United Kingdom and government advisory bodies) believe that the recorded declines in a wide range of non-raptor bird populations in the United Kingdom, Ireland and elsewhere in Europe are due to a number of factors including loss of habitat, changes in agricultural practices, climate change and changes in conditions at wintering grounds for migratory species breeding here.

Specialists in this field agree that there is a need to restore features of the countryside on which songbirds depend and that this is the only means for addressing declines in these populations.

## Red Squirrel Population

**Mr Shannon** asked the Minister of the Environment what steps he is taking to protect the red squirrel population. (AQW 8515/09)

**The Minister of the Environment:** The native Red Squirrel population in Northern Ireland is declining in numbers and distribution.

It is widely accepted that the presence of the Grey Squirrel is the biggest threat to the conservation of the Red Squirrel.

A Species Action Plan (SAP) for the Red Squirrel is currently being prepared by officials and should be issued for public consultation later this year.

One of the measures likely to be recommended in the SAP is the creation of Red Squirrel Reserves which will be defended against the ingress of the Grey Squirrel.

## Illegal Landfill Sites

**Mr Butler** asked the Minister of the Environment (i) how many illegal landfill sites his Department has dealt with; and (ii) what court action and other action his Department has taken against those who operate illegal landfill sites, in each of the last five years. (AQW 8561/09)

**The Minister of the Environment:** NIEA's Environmental Crime Unit (ECU), which oversees enforcement against illegal waste offences, does not collect data in terms of the number of illegal landfill sites dealt with. There is no definition of "illegal landfill" in law. Its enforcement data is instead collated within the parameters of its governing legislation, the Waste and Contaminated Land Order (Northern Ireland) 1997; this directs prosecutions in the following categories:

- depositing (or permitting the deposit of) waste,
- treating, keeping, or disposing of waste without a licence



- treating, keeping or disposing of waste in a manner likely to cause pollution of the environment or harm to human health (this being the most serious)

The prosecution cases that ECU oversees can also relate to waste transfer stations or waste treatment facilities and it is therefore not possible to differentiate cases only involving landfill sites.

Although the majority of convictions reported relate to deposit of waste without a licence, many others do not, e.g. transporting waste without a carriers' licence, and Duty of Care charges.

Since late 2003, NIEA has overseen 365 successful prosecutions, generating fines of over £984,515, securing 13 prison sentences and £1 million in confiscation orders. Broken down by year, this equates to:

Year	Prosecutions	Fines (£)
2003 – 05	88	131,215
2006	116	305,400
2007	68	276,850
2008	72	177,100
2009	21	93,950

Statistics on “other actions” have been kept since 2007. In 2007, 135 warning letters, Article 27 and Article 44s (notices requiring the removal of illegally dumped waste by legal means) were issued; in 2008, 234 were issued.

### Derry City Council Equality Consultation

**Mr Beggs** asked the Minister of the Environment, pursuant to AQW 8156/09, if his Department has taken a position on renaming the City of Londonderry and, if so, has this been communicated to Derry City Council. (AQW 8570/09)

**The Minister of the Environment:** My Department has not taken a position on the renaming of the City of Londonderry and has not taken any steps to bring this matter to a definitive conclusion.

### Derry City Council Equality Consultation

**Mr Beggs** asked the Minister of the Environment, pursuant to AQW 8156/09, what steps he has taken to bring the matter of renaming the City of Londonderry to a definitive conclusion. (AQW 8572/09)

**The Minister of the Environment:** My Department has not taken a position on the renaming of the City of Londonderry and has not taken any steps to bring this matter to a definitive conclusion.

### Election Posters

**Mr Hamilton** asked the Minister of the Environment to outline all his Department's legislation that relates to the erection of election posters. (AQW 8575/09)

**The Minister of the Environment:** My Department's legislation in relation to the erection of election posters is the Planning (Northern Ireland) Order 1991, insofar as it relates to advertisements, and the Planning (Control of Advertisement) Regulations (Northern Ireland) 1992.

The Regulations provide that the display of election posters does not require the Department's consent provided the posters are removed within 14 days after the close of the poll in the election to which they relate.

### Septic Tank and Sewage Sludge

**Mr G Robinson** asked the Minister of the Environment to outline the methodology for the application of human waste treated with lime to land. (AQW 8597/09)

**The Minister of the Environment:** Septic tank sludge and sewage sludge can be applied by deep burial, injecting into the soil or spreading on the soil, depending on its consistency. In addition to the requirements of The Sludge (Use in Agriculture) Regulations (Northern Ireland) 1990, applications of sewage sludge must also comply with the Nitrates Action Programme Regulations (Northern Ireland) 2006.

The Nitrates Action Programme Regulations define both septic tank and sewage sludge as 'organic manure'. Application of organic manures must comply with certain conditions which include a closed spreading period (15 October -31 January), the necessity for suitable soil and weather conditions, non-spreading zones around water/waterways and consideration of the crop nutrient requirements.

### Septic Tank and Sewage Sludge

**Mr G Robinson** asked the Minister of the Environment if there is a time delay before grazing livestock is permitted on land that has been spread with human waste treated with lime. (AQW 8598/09)

**The Minister of the Environment:** Paragraph 5 of The Sludge (Use in Agriculture) Regulations (Northern Ireland) 1990 states that grazing livestock should not be permitted on land that has been treated with sludge or septic tank sludge for 3 weeks commencing on the date of the spreading.

### Septic Tank and Sewage Sludge

**Mr G Robinson** asked the Minister of the Environment to outline the time-scales for human waste treated with lime being stored until application to land. (AQW 8599/09)

**The Minister of the Environment:** Under the Waste Management Licensing Regulations (Northern Ireland) 2003 sewage sludge may be stored for up to one year provided the storage site has been registered as a waste exemption with the Department of the Environment. Furthermore, where the Department considers it to be appropriate and acceptable, a waste exemption may be renewed on an annual basis.

Under the Nitrates Action Programme Regulations (Northern Ireland) 2006 sewage sludge cannot be applied to land during the closed spreading period of 15 October -31 January. In addition, outside the closed period it cannot be applied to land in unsuitable soil or weather conditions. It must therefore be stored during these periods.

### Septic Tank and Sewage Sludge

**Mr G Robinson** asked the Minister of the Environment to outline the criteria which must be met before human waste treated with lime can be spread on agricultural land. (AQW 8600/09)

**The Minister of the Environment:** Compliance with The Sludge (Use in Agriculture) Regulations (Northern Ireland) 1990 and the requirements of the Nitrates Action Programme Regulations (Northern Ireland) 2006 in relation to the application of organic manures. These requirements include the closed spreading period (15 October -31 January), the necessity for suitable soil and weather conditions, non-spreading zones around water/waterways and consideration of the crop nutrient requirements. Both of the preceding regulations are incorporated in Statutory Management Requirements 4 and 5 under the Common Agricultural Policy Single Payment and Support Schemes (Cross Compliance) Regulations (Northern Ireland) 2005.

The Code of Good Agricultural Practice for the prevention of pollution of water, air and soil recommends that sewage sludge or septic tank sludge should be injected or incorporated into the soil immediately after application. However under The Sludge (Use in Agriculture) Regulations (Northern Ireland) 1990 this requirement only applies to untreated sludge.

The spreading of sewage sludge is not permitted on grassland or forage crops under the Livestock and Meat Commission (LMC) Farm Quality Assurance Scheme for Beef and Lamb.

### Department of Energy and Climate Change

**Mr Ross** asked the Minister of the Environment what discussions his Department has held with the Department of Energy and Climate Change; and on what issues. (AQW 8617/09)

**The Minister of the Environment:** My Department has regular discussions with officials in the Department of Energy and Climate Change on various issues such as the implementation of the Climate Change Act 2008, the Carbon Reduction Commitment, the EU Emissions Trading Scheme and the EU Energy and Climate Change Package.

### **Copenhagen Climate Change Summit**

**Mr Weir** asked the Minister of the Environment what consultation his Department intends to have with the Department of Energy and Climate Change, ahead of the Copenhagen Climate Change Summit. (AQW 8620/09)

**The Minister of the Environment:** International negotiations are the responsibility of Whitehall.

My Department has been kept informed of the Department of Energy and Climate Change's (DECC) plans in relation to preparations for the Copenhagen Climate Change Summit. I have asked that DECC continues to keep the devolved administrations informed.

### **Glenavy: Rose Energy Incinerator**

**Mr Burns** asked the Minister of the Environment for an update on the planning application from Rose Energy to build an incinerator in Glenavy. (AQW 8636/09)

**The Minister of the Environment:** The planning application, accompanied by an Environmental Statement, for a biomass fuelled power plant at Ballyvannon Road Glenavy was submitted to Planning Service on 4 June 2008. Article 31 of the Planning (Northern Ireland) Order 1991 was applied to the proposal on 23 September 2008, designating the proposal as a major application.

Following initial consideration of the power plant application, additional environmental information was requested on 11 February 2009 as an Addendum to the Environmental Statement. The Addendum was submitted to Planning Service on 12 June 2009. At the same time Rose Energy also submitted a new separate planning application for the abstraction of water directly from Lough Neagh. The new application for water abstraction is accompanied by an Environmental Statement. The water abstraction application will be processed in tandem with the power plant planning application.

Consultations on the new water abstraction planning application and accompanying ES, and on the Addendum to the ES accompanying the power plant application, were issued to all relevant consultees on 18 June 2009.

Neighbour notification in respect of the new water abstraction application and accompanying ES and neighbour re-notification on the power plant application and Addendum, issued on 26 June 2009.

Advertisement in respect of the new application and accompanying ES will take place on 22, 23 and 24 July 2009. Re-advertisement in respect of the power plant application and Addendum will also take place on 22, 23 and 24 July 2009.

### **Ministerial Cars**

**Mr McKay** asked the Minister of the Environment if he has ever used his Ministerial car to attend a Council meeting. (AQW 8642/09)

**The Minister of the Environment:** No.

### **Departmental Officials**

**Mr McKay** asked the Minister of the Environment if he received advice from his departmental officials prior to a Council meeting he attended on 22 June 2009; and if so to outline that advice. (AQW 8643/09)

**The Minister of the Environment:** No.

### Departmental Officials

**Mr McKay** asked the Minister of the Environment to outline the protocol for bringing departmental officials to a Council meeting where a Minister is attending in his capacity as a Councillor. (AQW 8644/09)

**The Minister of the Environment:** The Department is not aware of any protocol for officials attending council meetings.

### Departmental Officials

**Mr McKay** asked the Minister of the Environment (i) to detail the cost of bringing departmental officials to the Belfast City Council meeting on 22 June 2009; and (ii) to outline what the officials did whilst at the meeting. (AQW 8645/09)

**The Minister of the Environment:** 1. None.

2. The Minister's Press Officer attended the meeting to deal with Departmental press queries following an announcement of the outcome of the meeting.

### Driver and Vehicle Agency

**Mr Beggs** asked the Minister of the Environment to detail the reasons for the substantial net resources of the Driver and Vehicle Agency shown in the main estimates which indicates that there was £725,000 in 2007/08; £7,915,000 in 2008/09 and £5,567,000 in the current financial year and to advise why such significant funds have been allowed to accumulate. (AQW 8651/09)

**The Minister of the Environment:** The figures quoted above are the 2007/08 Outturn (£725k), and the Estimate figures for 2008/09 (-£7,915,000) and 2009/10 (£5,567,000). These figures represent the net amount required to fund the cost of the DVA Licensing and Enforcement functions taking into account income received for services. The DVA Testing function operates as a self financing trading fund (public corporation) and as such does not require funding from the Department. The cost of DVA Testing is therefore not included in the Estimates.

The Main Estimate figure for 2007/08 was originally £5.224m. However, additional income from licences received throughout the year, which is primarily a demand led function, and revised spending plans resulted in an outturn figure of £0.725m for the funding required from the Department.

The £7.915m for figure 2008/09 is in actual fact a negative figure in the Estimate for this year and is due to the fact that DVA Testing as a trading fund is allowed to accumulate reserves in order to fund existing and future capital projects such as extensions to test centres for Co2 emissions testing and additional lanes for the motorcycle manoeuvring test.

Following an Executive Committee discussion of the 2008/09 December monitoring round departments were asked to identify capital contributions to help stimulate the economy. In line with Treasury guidance on public corporations it was agreed that the Department could in effect borrow spending power from DVA Testing by extracting cash in one year and making spending power available to the Agency in a later year. Although the cost of DVA Testing as a trading fund is not included in the Estimates these 'equity withdrawals' are exceptional payments from accumulated reserves and score as accruing resources (income) in the estimate figures. In line with the Treasury policy £10m extracted from the DVA Testing reserves is included in the Estimates figures for 2008-09. Therefore, the net amount required to fund the cost of the DVA Licensing and Enforcement functions for 2008/09 was estimated at £2.085m (ie £2.085m less the £10m gives the minus figure of £7.915m).

The Main Estimate figure for 2009/10 of the net cost of DVA Licensing and Enforcement (£5.567m) is likely to reduce throughout the year due to additional income from licences and revised spending plans.

### Planning Service

**Mr Burns** asked the Minister of the Environment (i) how many planning applications are currently with Planning Service regarding motor racing at any location in the vicinity of Nutts Corner, Crumlin; (ii) to provide



a brief description of each planning proposal and (iii) to detail the names of the companies that have submitted applications. (AQW 8663/09)

**The Minister of the Environment:** In relation to AQW 8663/09 and AQW 8664, no planning applications are currently with Planning Service at any location in the vicinity of Nutts Corner, Crumlin and no planning applications have been submitted to Planning Service regarding motor racing at any location in the vicinity of Nutts Corner, Crumlin within the last five years.

### Planning Service

**Mr Burns** asked the Minister of the Environment, in each of the last five years, how many (i) planning applications have been submitted to Planning Service regarding motor racing at any location in the vicinity of Nutts Corner, Crumlin; and (ii) how many of these applications have been (a) approved; (b) rejected; (c) withdrawn; and (d) are awaiting a decision. (AQW 8664/09)

**The Minister of the Environment:** In relation to AQW 8663/09 and AQW 8664, no planning applications are currently with Planning Service at any location in the vicinity of Nutts Corner, Crumlin and no planning applications have been submitted to Planning Service regarding motor racing at any location in the vicinity of Nutts Corner, Crumlin within the last five years.

### Nutts Corner, Crumlin: Racing Activity

**Mr Burns** asked the Minister of the Environment, in each of the last five years, to outline (i) how many complaints his Department has received regarding motor racing activity at any location in the vicinity of Nutts Corner, Crumlin; (ii) the nature of these complaints; (iii) the action his Department took; and (iv) any sanctions his Department imposed on any individual or party in relation to these complaints. (AQW 8665/09)

**The Minister of the Environment:** In relation to AQW 8665/09 I can advise that Planning Service has received a total of 5 complaints regarding motor racing in the vicinity of Nutts Corner, Crumlin over the last 5 years as follows :-

2004 – No complaints received

2005 – No complaints received

2006 - 1 complaint received, T/2006/0026/CA concerning stock car racing track at 47 Moira Road, Nutts Corner Crumlin. A Certificate of Lawfulness of Existing Use or Development was granted on 6 July 2006 under Article 83A of the Planning (Northern Ireland) Order 1991 because the track has the benefit of established use rights.

2007 – 1 complaint received, T/2007/0047/CA concerning a Race Track at Nutts Corner, unauthorised portacabin/lorry container and engineering works to create motorcycle track. This case was closed as the site was monitored for some time and did not appear to be used during the week. The portacabin and signage were removed. The use has entitlement for 14 days in any calendar year under the General Development Order. No further evidence was presented that this time limit was exceeded. The case was closed in September 2008.

2008 – No complaints received.

2009 – 3 complaints were received as listed below:-

- T/ 2009/0018/CA received 25/2/09 – Alleged Car Racing (not on established race track), large mound of soil build up. – The situation is currently being monitored.
- T/2009/0055CA received 19/5/09– New Stock Car Racing Track opposite the entrance to existing stockcar racing track, Moira Road, Nutts Corner – Warning letter issued 17 June 2009.
- T/2009/0065CA received 3/6/09 – Site visit carried out. This case is in the early stages of investigation.

If you have further details you wish me to pursue please provide them to enable a more specific search of the Department's records to be carried out.

### Horse/Riders

**Mrs I Robinson** asked the Minister of the Environment if he has plans to give horse-riders the same rights to free access on publicly owned land as that provided for walkers. (AQW 8673/09)

**The Minister of the Environment:** I have no plans to amend the Access to the Countryside Order 1983 to extend the statutory rights of horse-riders. My Department provides facilities for horse-riders at three of its Country Parks. It is for other Departments to consider whether they can accommodate horse-riders at their properties.

### British Association for Shooting and Conservation

**Mr Shannon** asked the Minister of the Environment if he will consider hosting a reception for the British Association for Shooting and Conservation to mark its centenary this year. (AQW 8728/09)

**The Minister of the Environment:** I do not consider that it would be appropriate for me to host a reception to mark the centenary of the British Association for Shooting and Conservation given that it is a UK wide organisation.

I am aware, however, of the good work done by BASC members towards conservation and I would be happy to attend any local event held to mark its centenary.

### Shooting for Vermin Control, Game Shooting or Wild Fowling

**Mr Shannon** asked the Minister of the Environment if he had any consultations during the cold spell, when snow and ice was the worst in 30 years, with reference to curtailing or stopping shooting for vermin control, game shooting or wild fowling during that period. (AQW 8730/09)

**The Minister of the Environment:** Under Article 4(10) of the Wildlife (Northern Ireland) Order 1985, my Department may declare any period (not exceeding 14 days) as a period of special protection for any wild bird included in Part 2 of Schedule 1 or Part 1 of Schedule 2.

These provisions are intended for use during periods of severe weather, when hunting or taking of quarry species could threaten populations. The criteria for instituting the procedure are based on data provided by the Meteorological Office.

During the cold spell at the start of this year my Department consulted with the Meteorological Office regarding provision of the relevant data. Officials also consulted with the British Association for Shooting and Conservation, Countryside Alliance and the National Parks and Wildlife Service in the Republic on the implications of a suspension for shooters. As the cold spell in Northern Ireland ended earlier than in other parts of the UK, the required criteria to implement the suspension were not met and therefore it was not imposed.

### Conflicts of Interest: Legal Advice

**Mr Elliott** asked the Minister of the Environment to outline the number of occasions that he has sought legal advice since coming into office, because of potential or actual conflicts of interest related to (i) his role as a Belfast City Councillor; and (ii) his lobbying for individual planning applications. (AQO 3070/09)

**The Minister of the Environment:** In relation to the planning application for the Aurora development, the Planning Service Management Board sought legal advice from the Departmental Solicitor's Office regarding the procedural handling of the application post Council consultation. In line with normal protocol this advice is confidential.

### Garrison/Trillick: Illegal Waste

**Mr Gallagher** asked the Minister of the Environment when work will commence on the removal of illegal waste from the sites at Garrison, Co. Fermanagh and Trillick, Co. Tyrone. (AQO 3071/09)

**The Minister of the Environment:** Dublin City Council is the Republic of Ireland's competent authority on cross-border waste movements and have committed to putting in place the necessary contractual arrangements to remove the waste. The tender process is required to be carried out under EU procurement rules and it is therefore anticipated that it will be some 3-4 months before a contract is in place. Work on site will commence as soon as possible after the award of the contract.

### Planning Reform

**Mr Irwin** asked the Minister of the Environment for an update on Planning Reform. (AQO 3072/09)

**The Minister of the Environment:** Members will be aware there have been delays for a number of months now in securing Executive consideration of the planning reform consultation paper because we have not been able to resolve a number of issues raised by the deputy First Minister and his party colleagues in relation to the draft consultation paper.

The delay in issuing the planning reform consultation paper has a major knock-on effect on our ability to meet the commitment to deliver the legislative programme for planning reform, including the transfer of planning functions to local government, by 2011.

My officials and I are continuing with our efforts to resolve the outstanding issues and I remain hopeful that we can secure Executive consideration and clearance before Summer recess, thus allowing the consultation process to start towards the end of July.

### Endangered Species Wildlife

**Mr Easton** asked the Minister of the Environment if his Department has undertaken or plans to undertake any studies into endangered wildlife species. (AQO 3073/09)

**The Minister of the Environment:** The Northern Ireland Environment Agency (NIEA) has a long track record of undertaking research into nature conservation issues or of commissioning this under contract. A large proportion of these studies have targeted habitats or species of conservation concern, of which some of the latter could be considered locally endangered.

More recently, NIEA has developed long term research arrangements with the two universities in Northern Ireland. For example, since the mid-80s, NIEA, and its predecessors, has funded the University of Ulster to undertake a series of Northern Ireland Countryside Surveys, which complement those undertaken in Great Britain. This is a landscape-scale audit of the countryside and this data has been used in conjunction with species data to provide contextual information on species distributions and to identify where further work is needed to target threatened habitats and their species.

Last year, following competitive tendering in the European Journal, NIEA established a 10-year research partnership with Queen's University, known as the Natural Heritage Research Partnership (NHRP). This NIEA contract has the high level aim of providing high quality research to underpin decisions relating to NIEA's statutory duties relating to the conservation of nature and to help deliver strategic targets relating to the Government's key themes of sustainable development, biodiversity and climate change.

NHRP wildlife projects currently include investigating the causes of diving duck declines in Lough Neagh, the threatened Fresh-water Pearl Mussel reproduction in the wild, annual population estimates of the Irish Hare and the distribution and genetic diversity of River Water-crowfoot.

Furthermore, you may recall that my Department is working with the Department of Agriculture and Rural Development on a project to restore the rare horse mussel biogenic reef feature in Strangford Lough to favourable conservation status.

### Bullbars

**Mr Wells** asked the Minister of the Environment if he has any plans to introduce legislation to make it illegal for non-agricultural vehicles to have bullbars. (AQO 3074/09)

**The Minister of the Environment:** I have no plans to introduce legislation to make it illegal for non-agricultural vehicles to have bull bars.

Current European legislation, which took effect on 25 May 2007, prohibits the sale of all new passenger cars and light vans equipped with bull bars, and bull bars sold as accessories, unless they have been certified to appropriate safety standards.

### Plastic Bag Levy

**Mr Maskey** asked the Minister of the Environment to outline under what circumstances he would consider introducing a plastic bag levy. (AQO 3075/09)

**The Minister of the Environment:** When the Assembly debated this matter on 4 November 2008 I indicated that, whilst I would not rule out anything, my philosophy for Government is that the least amount of regulation that we impose on people, and the more that we can bring people along and persuade them to do the right thing, the better. Basically that is still my position. I have consistently given my support to the voluntary approach to bring about significant reductions in the number of single use carrier bags handed out to consumers. The latest voluntary agreement with leading supermarkets should result in around 5 billion fewer bags being handed out in the UK. I prefer to await the outcome of the voluntary agreement, the results of which are not expected until later in the summer, before taking any decision on the best way forward for Northern Ireland.

### Driver and Vehicle Agency Enforcement Officers: Londonderry

**Mr Moutray** asked the Minister of the Environment to outline the current situation regarding the safety of Driver and Vehicle Agency enforcement officers in Londonderry. (AQO 3076/09)

**The Minister of the Environment:** The Health & Safety of the Agency's enforcement officers is of paramount importance. Prior to their deployment on operations anywhere in Northern Ireland, PSNI are consulted and staff are briefed on any relevant control measures being adopted to minimise any potential risk of injury.

There is no intelligence at present to suggest that DVA Enforcement Officers are at any greater risk working in Londonderry than in any other area of the province.

### Out-of-Town Development

**Mr Brady** asked the Minister of the Environment for his assessment of the current legislation on out of town development. (AQO 3077/09)

**The Minister of the Environment:** There is no planning legislation on out of town retail development.

### RPA

**Lord Morrow** asked the Minister of the Environment for an update on legislation relating to the Local Government aspects of the Reform of Public Administration. (AQO 3078/09)

**The Minister of the Environment:** The Local Government (Miscellaneous Provisions) Bill was introduced in the Assembly on 22 June 2009.

The proposed Local Government (Finance) Bill will, subject to Executive agreement, be issued for consultation in July for a 4-month period. It is anticipated that the Bill will be introduced by January 2010.

The policies which will be included in the proposed Local Government (Reorganisation) Bill will, subject to Executive agreement, be issued for consultation in July for a 4-month period. It is anticipated that the Bill will be introduced in May 2010.



### Sixmilewater: Pollution/Fish Kills

**Mr Kinahan** asked the Minister of the Environment what steps his Department has taken to reduce the regularity of pollution incidents and fish kills in the Sixmilewater River and its tributaries. (AQO 3079/09)

**The Minister of the Environment:** The Northern Ireland Environment Agency (NIEA) has redoubled efforts put into ensuring that all pollution risks throughout the Sixmilewater River catchment are identified and resolved. This has resulted in a 20% reduction in the number of confirmed water pollution incidents between the years 2000 and 2008.

NIEA staff are working diligently with site operators to remove any identified pollution risks and where necessary, are serving Enforcement Notices.

A comprehensive programme of pollution prevention inspections has been carried out on business premises throughout the Mallusk Industrial Estate.

A centralised inventory has been drawn up of chemicals stored or used by businesses within the Estate. Passive samplers will soon be sited in the Sixmilewater and Ballymartin Rivers to identify ongoing problems.

NIEA staff are currently carrying out compliance checks with existing Water Order standards of all consented industrial premises and NIW infrastructure in the Sixmilewater River catchment area. A number of additional discharges have been identified and these are being considered for consent.

NIEA's existing routine water monitoring programme in the Sixmilewater has been supplemented with investigative monitoring.

NIEA has contributed £10,000 of funding, and is working closely with anglers, industry and other local interests to establish a River Trust on the Sixmilewater. River Trusts have been very successful in England in turning around pollution-affected rivers.

In addition, NIEA is working closely with Rivers Agency and DCAL to draw up a river restoration scheme for the Blackwater and Ballymartin River tributaries of the Sixmilewater.

### Better Regulation and Simplification Review

**Mr Ross** asked the Minister of the Environment for an update on the Better Regulation and Simplification Review. (AQO 3080/09)

**The Minister of the Environment:** The Better Regulation and Simplification Review Report was published on 16th June 2009.

DOE, in conjunction with DARD, will now consult informally with stakeholders on the report's recommendations.

Individuals or organisations wishing to comment on the content of the report have until 30 September to submit their responses.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Equal Pay Claim

**Mr Cree** asked the Minister of Finance and Personnel, in relation to the Civil Service equal pay claim, (i) for an update on the current situation; (ii) why it is necessary to review TG1 and TG2 grades; (iii) how many staff are involved in the review; and (iv) when the review will be completed. (AQW 7912/09)

**The Minister of Finance and Personnel (Mr Dodds):** NIPSA has lodged in excess of 4,500 equal pay claims with the Industrial Tribunal on behalf of female members, which are now the subject of legal processes; Departments have not yet been served with these claims but will have to respond to them in due course.

I met with representatives of the Northern Ireland Public Service Alliance NIPSA on 7 May to discuss the equal pay claims. The meeting provided me with the opportunity to hear at first hand the issues of concern to

NIPSA and to assure them of my commitment to resolving the Civil Service equal pay issue, if possible, through a negotiated settlement and without the need for litigation. Discussions between officials in the Department of Finance and Personnel and NIPSA are ongoing in an effort to establish as clearly as possible the parameters within which a negotiated settlement might be reached so that I, in conjunction with my Ministerial colleagues in the Executive, can consider how the matter should be taken forward.

The proposal to review Technical Grades is considered as a necessary and integral part of the process of establishing a firm foundation for addressing the equal pay issue.

A sample of between 100 and 150 of posts in the relevant grades will be examined as part of the review. Arrangements are well underway to conduct the review of TG staff, which is expected to take around 3 months once the analysts commence their work, with the cooperation of both the unions and staff.

### Equal Pay Claim

**Mrs D Kelly** asked the Minister of Finance and Personnel, in relation to the Civil Service Equal Pay claim, who will be calculating the back pay; and will the Civil Servants affected be given details of the calculation in writing. (AQW 8601/09)

**The Minister of Finance and Personnel:** To the extent that a settlement to the equal pay issue is reached, officials will calculate any entitlements to staff concerned. Staff would be advised of the details of any entitlement in writing.

### Anorexia

**Mr Burns** asked the Minister of Finance and Personnel, pursuant to his answer to AQW 8319/09 to detail, (i) the total number of recorded deaths due to anorexia and other eating disorders in each of the last five years (ii) the average age of those who died from these disorders; (iii) a summary of these figures broken down by age groups; (a) under 19; (b) 20-29; (c) 30-39; (d) 40-49; (e) 50-59; (f) 60-69; and (g) 70+. (AQW 8632/09)

**The Minister of Finance and Personnel:** There was one death in 2004 where an eating disorder<sup>1</sup> was the underlying cause of death and a further one death in 2005, one death in 2006, three deaths in 2007 and five deaths in 2008<sup>P</sup> where eating disorders<sup>1</sup> were recorded as a secondary cause of death.

The average age at death for these 11 deaths was 75 years of age.

The attached table gives the number of deaths registered in Northern Ireland where eating disorders<sup>1</sup> were recorded as either the underlying or a secondary cause of death by age group 2004 to 2008<sup>P</sup>.

**TABLE: THE NUMBER OF DEATHS REGISTERED IN NORTHERN IRELAND WHERE EATING DISORDERS WERE EITHER THE UNDERLYING CAUSE OF DEATH OR A SECONDARY CAUSE OF DEATH BY AGE GROUP, 2004 TO 2008<sup>P</sup>**

Age Group	Number of Deaths Where Eating Disorders Were Either the Underlying Cause of Death or a Secondary Cause of Death
Under 19	-
20-29	-
30-39	-
40-49	3
50-59	1
60-69	-
70+	7
All Ages	11

<sup>1</sup> Deaths are defined as being due to eating disorders using International Classification of Diseases, Tenth Revision code F50 (this includes anorexia nervosa and food refusal amongst other eating disorders).

<sup>P</sup> 2008 data is provisional

### Armed Forces: Access to Public Services

**Dr W McCrea** asked the Minister of Finance and Personnel what action he intends to take to help members of the UK Armed Forces and their families to access public services. (AQO 3085/09)

**The Minister of Finance and Personnel:** Following the launch last year, by the Ministry for Defence, of a new cross-government strategy to improve support for the armed services, past and present, I have initiated a similar approach across the Northern Ireland Departments.

The purpose of the cross-cutting work is to ensure that members of the Armed forces, past and present, should not be disadvantaged by the military lifestyle, in terms of accessing the full range of public services to which they are entitled.

Taking forward this work will require dialogue and co-operation both within Northern Ireland and between local departments and their counterparts in Whitehall and the other Devolved Administrations. I have no doubt that all organisations will work together to ensure that we deliver our obligations.

### Economic Climate: Bank Response

**Mr Easton** asked the Minister of Finance and Personnel for his assessment of the response of the Northern Ireland banks to the needs of businesses in the present economic climate. (AQO 3086/09)

**The Minister of Finance and Personnel:** Executive Ministers and officials have had extensive engagement with the local banks over recent months. When the global banking crisis broke last autumn, we made robust representations to the banks on the critical issue of maintaining liquidity levels within the local economy.

Unfortunately there is evidence to suggest that the initial reaction of the banks to the crisis was to become more risk-averse in their lending practices with a desire to consolidate their own balance sheets. That approach was detrimental to the local economy. Since then, following strong representations from myself and other Executive Ministers, the position has improved somewhat with banks cognisant of their wider responsibilities. Some banks have been more proactive in helping local industry than others.

I would again impress upon all local banks to fully utilise and market the various UK-wide financial assistance schemes such as the Enterprise Finance Guarantee and the loan facilities from the European Investment Bank.

### Tax Varying Powers

**Mr O'Dowd** asked the Minister of Finance and Personnel if he has had any discussion with the Executive to bring forward proposals to the Treasury which will give the Executive and the Assembly tax varying powers. (AQO 3088/09)

**The Minister of Finance and Personnel:** When Sir David Varney was preparing his study into tax varying powers I invited all Executive Ministers to engage and put forward tax policy proposals. The Executive's agreed response to the Varney outcome expressed disappointment at the failure to grant this region a dispensation on taxation and made it clear that we would continue to prioritise economic growth within our Programme for Government.

While we are undoubtedly constrained by our lack of control over tax policy levers the HM Treasury position on granting UK regions a tax derogation will undoubtedly have hardened over recent months as the national fiscal position has deteriorated. Rest assured that I will continue to make robust representations on tax issues that impact negatively on our region. One specific recent example of this is my ongoing negotiations with the Chief Secretary on the need to address the serious consequences of applying inheritance tax on local Conacre land. This tax issue is having a severe negative impact on our local agricultural community.

### June Monitoring Round: Budget Redistribution

**Mr K Robinson** asked the Minister of Finance and Personnel to detail the total budgetary amount he is redistributing in the June monitoring round. (AQO 3089/09)

**The Minister of Finance and Personnel:** Following an initial discussion on the 25th of June, the Executive is due to consider my recommendations in respect of the 2009-10 June Monitoring Round on Thursday.

### Dormant Bank Account Moneys

**Mrs O'Neill** asked the Minister of Finance and Personnel for an update on the legislation to release dormant bank account monies for use within community projects. (AQO 3090/09)

**The Minister of Finance and Personnel:** On 27 November 2007, the Assembly passed a Legislative Consent Motion agreeing that the provisions in the Dormant Bank and Building Society Accounts Bill relating to the distribution in Northern Ireland of sums released from dormant bank and building society accounts should be considered by the UK Parliament. The Dormant Bank and Building Society Accounts Act received Royal Assent on 26 November 2008.

Under the terms of the legislation, the scheme provides a general definition of “social or environmental purposes” on which unclaimed assets must be spent. The legislation also provides for the devolved administrations to determine their own priorities for distribution which reflect the needs of the community within this over-arching theme.

### Procurement Task Groups

**Lord Browne** asked the Minister of Finance and Personnel to provide an update on the work of the Procurement Task Groups. (AQO 3091/09)

**The Minister of Finance and Personnel:** In December 2008, I established the Construction Industry Forum – Procurement Task Group to agree the principles to be applied to future Government construction procurement. In particular, the Task Group considered how to:-

- further develop the partnership between Government and the construction industry;
- facilitate the delivery of projects to the marketplace as quickly as possible;
- deliver best value for money projects that meet the sustainability objectives set out in the Programme for Government; and
- provide wider stakeholders with confidence that the procurement process is modern, robust and fair.

The Group's Report was finalized on 30 April 2009 and presented to the Procurement Board on 7 May 2009. As Chair of the Procurement Board, I have instructed the Central Procurement Directorate to work with all Government Construction Clients to implement the seven key principles agreed by the Group.

These principles aim to:

- enhance the visibility of Government construction procurement opportunities to facilitate industry workload planning;
- provide recurrent opportunities for enterprises of all sizes;
- maximise the opportunities for enterprises to benefit from public sector contracts through participation in the supply chain;
- reduce the cost and timescale of the pre-qualification process for selection of tender short-lists;
- reduce tender bid costs;
- deliver projects that represent best value for money; and
- reduce the likelihood of legal challenge.

The first principle is focused on visibility of opportunity and the importance of providing up-to-date information on the progress of construction related contracts coming to the marketplace.

The Task Group recognised that the ISNI information website, which draws its information from the Delivery Tracking System, would provide the construction industry with appropriate information on projects, including the type, location, value and delivery timescale. The website is now operational and was demonstrated by the Strategic Investment Board to representatives of the construction industry at the Construction Employers' Federation (CEF) Construction Procurement Conference held on 11 June 2009.



In addition to the seven principles, the report includes some 25 actions with dates for implementation. Whilst some of these actions can be introduced with immediate effect, full implementation of others will require further detailed development work.

A number of Construction Industry Forum - Working Groups are being established to complete this further work and the actions will be introduced in an incremental manner and, in full, by 31 December 2009.

The first of these Working Groups is examining:-

- how the procurement process accommodates applications from joint ventures;
- the setting of proportionate minimum standards for the economic and financial standing of enterprises wishing to be short-listed for tender; and
- how experience of work of a similar nature, scope and complexity should be used to evaluate the technical and professional ability of enterprises to be short-listed for tender.

These actions will benefit SMEs by increasing their opportunities to bid for Government contracts.

Progress on these actions was discussed at the Construction Industry Forum for Northern Ireland (CIFNI) meeting on 24 June 2009 and it is anticipated that the Working Group recommendations on these initial actions will be finalised shortly.

I have instructed Central Procurement Directorate to keep me fully informed of progress on implementing the remaining Task Group actions over the coming weeks and months.

### Social Contracts

**Mr Brady** asked the Minister of Finance and Personnel how social contracts have benefited the socially and economically disadvantaged, in light of Executive and Ministerial initiatives. (AQO 3092/09)

**The Minister of Finance and Personnel:** The Government Construction Clients Group (GCCG) and the construction industry, as represented by the Construction Industry Group for Northern Ireland, have jointly explored at the Construction Industry Forum for Northern Ireland (CIFNI) how sustainability issues could be incorporated into construction contracts.

A CIFNI - Sustainability Task Group has developed 'Proposals for Promoting Equality and Sustainable Development by Sustainable Procurement in Construction'. Endorsed by CIFNI on 17 June 2008 the proposals focus on the economic, social and environmental pillars of sustainability. Seven key objectives and some 10 associated contractual requirements are included under the 'social pillar'.

Central Procurement Directorate (CPD) and the other Centres of Procurement Expertise with responsibility for construction procurement agreed at the Procurement Practitioners Group (PPG) to incorporate the contractual requirements set out in the CIFNI proposals, in so far as it is practicable, into all new construction contracts from December 2008. The extent to which the requirements can be effectively incorporated into contracts is dependent upon the nature and scope of specific construction projects. Centres of Procurement Expertise are aware of the need to monitor and record progress against the targets set in the contractual requirements.

Under Principle 6 of the CIFNI Procurement Task Group Report, which was finalised on the 30 April 2009 and was presented to the Procurement Board on 7 May 2009, main contractors and their supply chains have reaffirmed their commitment to deliver these contractual requirements and to provide Government construction clients with monthly project specific reports on their implementation.

CPD has also identified those CIFNI contractual requirements which could be adopted for potential use in supplies and general services contracts.

Given the relatively recent introduction of the contractual requirements and the timescales associated with the procurement and delivery of construction projects, there is currently insufficient information available to assess the full effectiveness of the 'social' measures introduced to date.

CPD has however advised that the economic, social and environmental requirements included in their construction contracts are being monitored and the data collated will be used in due course to evaluate the effectiveness of the measures.

A similar monitoring mechanism is to be incorporated into the Contract Management module of e-Sourcing NI to capture information from the requirements built into supplies and general services contracts.

This data will be used to inform twice yearly reports to the Procurement Board and as Chair of the Board I will monitoring and reviewing the success of the initiatives.

### **Procurement Process: Indigenous Enterprises**

**Mr McKay** asked the Minister of Finance and Personnel how, in light of Executive and Ministerial initiatives, is the procurement process benefiting indigenous enterprises in the current economic circumstances. (AQO 3093/09)

**The Minister of Finance and Personnel:** Government recognises the important contribution indigenous enterprises, the majority of which are SMEs, make to the economy of Northern Ireland through the provision of supplies, works and services to the public sector.

Public procurement is subject to the EU Treaty which requires freedom of movement, transparency and non-discrimination on the basis of nationality. Public sector buyers therefore cannot restrict their purchases of goods, works and services to favour local firms.

The Procurement Board, of which I am Chair, has overseen a number of initiatives which offer local enterprises a high degree of opportunity to bid for Government contracts. For example:

Centres of Procurement Expertise are already required to advertise all procurement opportunities in excess of the designated thresholds of £30k on their websites and in the local Press. Where the value of a contract is in excess of the EU thresholds (£90k for goods and services and £3.5m for works), it must also be published in the Official Journal of the European Union (OJEU).

- The Procurement Board has approved the use of the e-Sourcing NI portal as a single sourcing tool for all Centres of Procurement Expertise. e-Sourcing NI offers all registered firms “24/7” access to view all procurement opportunities and facilitates the submission of electronic tenders. In my Department, the Central Procurement Directorate has been using e Sourcing NI since May of last year. All CoPEs will be using the system by early 2010.
- The Investment Strategy information website is now operational. It has been developed to provide the public, and in particular the construction industry, with specific project information drawn from the Delivery Tracking System.
- CPD and other Centres of Procurement Expertise encourage smaller SMEs to join together as consortia to bid for contracts and compete against applications from single entities.
- CPD provides support to both SMEs and Social Economy Enterprises (SEEs) and has regular engagement with representatives and lead bodies from both groups. The purpose of this engagement is to help SMEs and SEEs by increasing their understanding of the procurement process through, for example, ‘meet the buyer’ events.

In addition, the Construction Industry Forum (CIFNI) – Procurement Task Group has developed a number of principles and associated actions to be applied to Government procurement processes that will directly benefit local firms by increasing their opportunities to bid for Government contracts.

In conclusion, I believe that indigenous enterprises in Northern Ireland are already benefitting from the procurement opportunities offered by Government and that further benefits will accrue from the initiatives that are now being put in place.

### **NI Direct**

**Mr Moutray** asked the Minister of Finance and Personnel for his assessment of the effectiveness of NI Direct Online. (AQO 3094/09)

**The Minister of Finance and Personnel:** NI Direct Online or [www.nidirect.gov.uk](http://www.nidirect.gov.uk) is a key project in the Programme for Government, and greatly improves citizens’ access to government information and services.

The website was launched on 31 March 2009 within the PSA target. Even in advance of any marketing, it has had an encouraging stream of visitors. It has more than 3,000 pages of information and pages were accessed over 200,000 times during the month of May.

The website makes accessing government services and information easier, from employment information to transport and housing. Users can book an MoT test, or find information on job vacancies. Information is

all in one place and is arranged in themes according to the way citizens wish to find information, rather than by the Departments which provide the services. This makes the site easy to use and represents a significant improvement in how government interacts with citizens.

Already the value of having the NI Direct website has been demonstrated as an important channel for providing up to date local information about the developing swine flu situation.

It is important to maximise the value of the website by raising awareness and this will be done through advertising in print, online and on buses. This will be followed up in the coming months with a television and bill board advertising campaign.

### **Performance and Efficiency Delivery Unit: Land and Property Services**

**Mr Weir** asked the Minister of Finance and Personnel for an update on the Performance and Efficiency Delivery Unit, in relation to the Land and Property Services. (AQO 3095/09)

**The Minister of Finance and Personnel:** Earlier this year, I initiated a Review of Land and Property Services (LPS) to ensure that the agency is structured and managed in a way that is focused on delivery. PEDU commenced work on the Review in March and are to report back to me shortly with details of their findings and recommendations going forward. Alongside this LPS will submit an action plan outlining how they will address all recommendations made.

## **DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY**

### **Health and Social Care Trusts**

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many managers who had lost their jobs after the merger of Health and Social Care Trusts, were then re-employed in another position within the Trusts. (AQW 2598/09)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** Approximately 140 managers have been given voluntary early retirement or voluntary redundancy under the Trusts' Review of Public Administration restructuring. None of these managers have been re-employed in a managerial position. As part of those arrangements my Department instructed Health and Social Care employers that staff who received early retirement payments should not be re-engaged.

### **Family Support Workers**

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8127/09, to outline the reasons for the reduction in the numbers of Family Support Workers in the Armagh and Dungannon area, given the rise in the number of families requiring assistance and awaiting referrals since March 2009. (AQW 8280/09)

**The Minister of Health, Social Services and Public Safety:** The Trust has advised that the existing 8 Family Support Workers currently employed in the Armagh and Dungannon area only work on a part time basis subject to casual contracts. They will be aligned to the existing social work teams with each worker on approximately 18 hours per week and on Trust contracts which to date have not been the case.

In relation to existing waiting lists this is an issue which the Trust is endeavouring to resolve. Once the new arrangements are put in place namely that the respective senior social worker will manage the Family Support Workers based in their team, the Trust is confident that waiting lists will not present a problem as the service will be specifically managed within the teams from where the referrals originate from.

As advised previously, the Head of Family Support for the Southern Trust is happy to meet with you to discuss this matter if you would find that helpful.

### Adoption

**Mr Easton** asked the Minister of Health, Social Services and Public Safety if he proposes to introduce new legislation on adoption in the near future. (AQW 8359/09)

**The Minister of Health, Social Services and Public Safety:** I am currently finalising my proposals for reforming adoption legislation in Northern Ireland. It is my intention to bring these proposals before the Executive for consideration in the near future.

### Inflammatory Bowel Disease

**Mrs Hanna** asked the Minister of Health, Social Services and Public Safety whether he will consider creating a register of all patients with Inflammatory Bowel Disease, and giving them biological therapy as recommended by the National Institute for Health and Clinical Excellence. (AQW 8361/09)

**The Minister of Health, Social Services and Public Safety:** At present, the Northern HSC Trust's Causeway Hospital and Western HSC Trust's Altnagelvin Hospital already have databases of Inflammatory Bowel Disease (IBD) patients, while the other Trusts hold such information within consultants' own records.

The National Institute for Health and Clinical Excellence (NICE) has not recommended giving biological therapy to all patients with inflammatory bowel disease (IBD). However, the Institute has issued guidance in respect of the treatment of Crohn's disease and ulcerative colitis with the biologic drug infliximab. NICE guidance indicates that infliximab is not recommended for the treatment of subacute manifestations of moderate to severe ulcerative colitis. However, the Department is currently considering the applicability of NICE guidance for the use of infliximab for acute exacerbations of ulcerative colitis, and will issue advice to the Health and Social Care Board in due course.

### Swine Flu

**Mr Ross** asked the Minister of Health, Social Services and Public Safety if there are any suspected cases of swine flu in the East Antrim constituency. (AQW 8366/09)

**The Minister of Health, Social Services and Public Safety:** Due to the low number of cases of swine flu in Northern Ireland, provision of specific geographical information on these cases may identify individuals. I therefore, refer the Member to the information that has been published on my Department's website: [www.dhsspsni.gov.uk](http://www.dhsspsni.gov.uk). This information is updated frequently.

### Northern Health and Social Care Trust

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety to detail the effect of efficiency savings on the budget allocated to the Northern Health and Social Care Trust for (i) 2008/09; and (ii) 2009/10. (AQW 8380/09)

**The Minister of Health, Social Services and Public Safety:** All Departments must achieve efficiency savings targets of 3% per annum and the Executive gave no dispensation to the DHSSPS. The Northern HSC Trust efficiency targets are £11.7m for 2008/09 and £26.5m for 2009/10.

### Counselling Services

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what action he has taken to regulate counselling services. (AQW 8382/09)

**The Minister of Health, Social Services and Public Safety:** I am committed to the regulation of counsellors and, in this regard, my Department has been closely monitoring developments in England. As the Health Professions Council (HPC) will be the regulatory body, it is currently working with representative organisations to develop proposals for regulation. This will set the precedent for other jurisdictions to follow. We will not be issuing draft Standards for Counselling Provision for public consultation.



### Counselling Services

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety when he will issue draft Standards for Counselling Provision for public consultation. (AQW 8384/09)

**The Minister of Health, Social Services and Public Safety:** I am committed to the regulation of counsellors and, in this regard, my Department has been closely monitoring developments in England. As the Health Professions Council (HPC) will be the regulatory body, it is currently working with representative organisations to develop proposals for regulation. This will set the precedent for other jurisdictions to follow. We will not be issuing draft Standards for Counselling Provision for public consultation.

### Drug Trials

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if he is aware of any drug trials taking place at the Ulster Hospital. (AQW 8401/09)

**The Minister of Health, Social Services and Public Safety:** I am advised by the South Eastern Health and Social Care Trust that there are nine investigations of medicinal products currently under way in the Ulster Hospital.

### Drug Trials

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if drug trials could take place in the Ulster Hospital without the knowledge of patients or doctors. (AQW 8403/09)

**The Minister of Health, Social Services and Public Safety:** This would not be possible. There are very clearly defined national and international legislative instruments and agreements defining the approval and operation of clinical trials involving medicines, including the Medicines for Human Use (Clinical Trials) Regulations 2004 which regulate all clinical trials involving medicines in the UK.

### Family Support Workers

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 7078/09, if Family Support Workers in Armagh and Dungannon are to have supervised contact included in their contracts. (AQW 8405/09)

**The Minister of Health, Social Services and Public Safety:** The Southern Health and Social Care Trust has advised that there will be no change in relation to the role of the Family Support worker. It is a change in management arrangements.

Please be advised that, the Head of Family Support for the Southern Trust is happy to meet with you to discuss this matter if you would find that helpful.

### Alcohol Consumption During Pregnancy

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to outline the steps he is taking to ensure that all healthcare professionals dealing with expectant mothers highlight the dangers of alcohol consumption during pregnancy. (AQW 8406/09)

**The Minister of Health, Social Services and Public Safety:** Alcohol consumption during pregnancy is discussed with all pregnant women at their first antenatal appointment. From July 2009, all pregnant women will carry the Northern Ireland Maternity Hand Held Record. This will be given to her by the Maternity Unit with which she books for confinement and the contents discussed. The record contains information on a range of issues, including information of the danger of alcohol consumption during pregnancy and relevant guidelines.

### Alcohol Consumption During Pregnancy

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if he will introduce an awareness or health promotion campaign to address the dangers of drinking alcohol whilst pregnant. (AQW 8407/09)

**The Minister of Health, Social Services and Public Safety:** All relevant materials and resources in relation to sensible drinking message produced by my Department or the Public Health Agency contain information and guidance in relation to alcohol consumption during pregnancy. In addition, the Public Health Agency are giving consideration to the production of a specific booklet on alcohol and pregnancy, and the Northern Ireland Hand Held Record, which will be given to all pregnant women from July, will include information of the danger of alcohol consumption during pregnancy and relevant guidelines.

### Foetal Alcohol Syndrome

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what consideration has been given, or is being giving to the placement of a health warning on bottles of alcohol, similar to those on cigarette packets, to tackle the condition of Foetal Alcohol Syndrome. (AQW 8408/09)

**The Minister of Health, Social Services and Public Safety:** My Department fully supports the voluntary labelling agreement between the UK Government and the alcohol industry. Through this agreement all alcoholic containers should contain the following key messages:

- the 'Know Your Limits' slogan or agreed alternative;
- icon showing alcohol unit content;
- the sensible drinking guidelines;
- advice on alcohol and pregnancy; and
- the Drinkaware web address.

These health messages are appropriate to the nature and level of harm associated with alcohol, which cannot be directly compared to tobacco.

I understand that a review is currently underway to establish the extent to which the alcohol industry is complying with this agreement. If this monitoring process shows that there is not significant pace of movement towards compliance, then further consideration should be given to UK wide legislation on this issue.

### Foetal Alcohol Syndrome

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety if his Department has conducted any research on the potential linkages between foetal alcohol syndrome and autism. (AQW 8410/09)

**The Minister of Health, Social Services and Public Safety:** My Department has not commissioned any research on the potential linkages between foetal alcohol syndrome and autism.

### Agenda for Change Arrears

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many former employees of the Health Service have still to get Agenda for Change arrears. (AQW 8433/09)

**The Minister of Health, Social Services and Public Safety:** Of the 71,273 current and former Health and Social Care staff just over 10,000 former staff have yet to be paid their Agenda for Change arrears.

The payment of arrears requires payroll staff to carry out individual and in many cases complex calculations over a four year period from October 2004.

### Inflammatory Bowel Disease

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety if he plans to implement fully the Inflammatory Bowel Disease Service Standards in each Health and Social Care Trust. (AQW 8454/09)

**The Minister of Health, Social Services and Public Safety:** The recently launched standards will be useful benchmarks to help Trusts consider how best to provide services for people with inflammatory bowel diseases. My officials have planned a meeting with the Chief Executive of the National Association of Colitis and Crohn's Disease in order to discuss the issues raised.

### Royal Group of Hospitals: Car parking Provision

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety what his Department's plans are for improving car parking provision at the Royal Group of Hospitals. (AQW 8469/09)

**The Minister of Health, Social Services and Public Safety:** The Belfast Health & Social Care Trust is currently in discussions with the car-parking provider, Car Park Services, with a view to increasing car-parking capacity at the Royal Group of Hospitals.

### Pleural Plaques

**Mr Easton** asked the Minister of Health, Social Services and Public Safety if his Department, the Regional Health Board or any of the Health and Social Care Trusts are conducting public consultations or studies on pleural plaques. (AQW 8478/09)

**The Minister of Health, Social Services and Public Safety:** The Department of Health, Social Services and Public Safety is not undertaking a consultation or conducting any studies on pleural plaques. Relevant enquiries indicate that neither the Regional Health and Social Care Board nor any of the five trusts are undertaking any consultations or studies on this topic.

### Marine Issues

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety if he will provide details of (i) the number of staff, and their relevant grade, in his Department who have responsibility for marine issues, and (ii) the annual total cost of marine-specific work to the Department. (AQW 8494/09)

**The Minister of Health, Social Services and Public Safety:** My Department has no responsibility for marine issues and therefore there is no cost.

### Registered Childminders

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the number of registered childminders in each constituency. (AQW 8513/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of registered childminders in each constituency, is not available in the format requested.

### Registered Childminders

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety what steps he is taking to clear the backlog of applications to become registered childminders in the South Eastern Health and Social Care Trust. (AQW 8514/09)

**The Minister of Health, Social Services and Public Safety:** I refer to my previous response to your correspondence on this matter (COR 613/2009 refers).

The South Eastern Health and Social Care Trust has experienced an increase in the number of those registering to become childminders. To address this, they have arranged additional courses in May, September and October 2009. The Trust has already added additional courses this year and will keep this option under review and respond if the need arises. In addition, the Trust has offered overtime to social workers to facilitate the registration process and will add further courses as required.

### Physiotherapy Services

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what plans he has to introduce a designated physiotherapy service for people diagnosed with M.S. (AQW 8524/09)

**The Minister of Health, Social Services and Public Safety:** My Department has no plans to introduce a designated physiotherapy service for people diagnosed with Multiple Sclerosis. Health and Social Care Trusts provide physiotherapy services in out-patient, day care settings, local community and domiciliary surroundings for patients, including those with Multiple Sclerosis, commensurate with their assessed individual physiotherapy needs.

### Intractable Epilepsy

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety when his Department last had correspondence with the Children's Memorial Hospital in Chicago regarding treatment of children from Northern Ireland with intractable epilepsy. (AQW 8525/09)

**The Minister of Health, Social Services and Public Safety:** The last direct correspondence between my Department and staff at the Children's Memorial Hospital in Chicago was in March 2009.

### Physiotherapists

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety to detail the number of physiotherapists in each Health and Social Care Trust. (AQW 8526/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is provided in the table below.

NUMBER OF PHYSIOTHERAPISTS BY HEALTH & SOCIAL CARE TRUSTS AT 31ST MARCH 2009.

Physiotherapists		
HSC Trust	Headcount	WTE
Belfast	330	275.0
Northern	179	151.2
South Eastern	176	139.5
Southern	173	142.7
Western	118	106.4
<b>Total</b>	<b>976</b>	<b>814.9</b>

**Source:** Human Resource Management System.

**Notes:**

- Figures exclude staff with a whole-time equivalent of less than or equal to 0.03.
- WTE = the whole-time equivalent number of staff is calculated by aggregating the total number of hours that staff in a grade are contracted to work, and dividing by the standard hours for that grade.

### Prescription Fraud

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety to detail his Department's strategy for tackling prescription fraud. (AQW 8527/09)

**The Minister of Health, Social Services and Public Safety:** My Department has a robust policy in place to tackle prescription fraud. A range of verification checks are undertaken on cases where patients have claimed exemption from prescription charges. Action is taken to recover relevant charges and impose fixed penalty charge fines, where patients do not pay prescription charges when they should. Serious or persistent offenders may be referred for prosecution.



I have announced that prescription charges will be abolished with effect from 1st April 2010.

### St Luke's Hospital Site

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety if he will require the Southern Health & Social Care Trust to undertake a comprehensive estates strategy for the St. Luke's site based on viable health services and in consultation with Armagh City and District Council. (AQW 8650/09)

**The Minister of Health, Social Services and Public Safety:** My response to AQW/7557/09 from Cathal Boylan on 21 May 2009 refers.

I am currently considering the Southern HSC Trust's efficiency proposals, which involve the proposed relocation of some services currently provided on the St Luke's hospital site.

The Southern HSC Trust has advised, subject to my decisions on their proposals and the future of the St Luke's hospital site, that they will work with local stakeholders, including Armagh City and District Council, to develop a strategic plan for the development of the St Luke's / Longstone site.

### South Tyrone and Lurgan Hospitals

**Mr D Bradley** asked the Minister of Health, Social Services and Public Safety what additional capital expenditure will be required at South Tyrone and Lurgan Hospitals arising from the proposed closure of Mullinure Hospital. (AQW 8736/09)

**The Minister of Health, Social Services and Public Safety:** There is no proposal to close Mullinure Hospital. The Southern HSC Trust propose that Mullinure will no longer provide non acute inpatient beds. It will instead become a local centre for specialist services for older people and will therefore continue to provide a very valuable resource in supporting the needs of older people in the Armagh area.

It is also important to bear in mind that no final decision has been made. Should a decision be made to relocate non-acute inpatient beds to other hospitals, the Trust will be required to develop the proposal in a business case and it will be only on receipt and assessment of that business case that any additional capital expenditure could be confirmed.

### Macular Degeneration

**Mr Doherty** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of people currently diagnosed with macular degeneration in each Health and Social Care Trust area; (ii) the services in place to treat this condition; and (iii) any plans his Department has to develop these services. (AQW 8804/09)

**The Minister of Health, Social Services and Public Safety:**

- (i) The number of people currently diagnosed with age-related macular degeneration in each Health and Social Care Trust area is not available.
- (ii) Age-related macular degeneration (AMD) occurs in two forms, "wet" and "dry". Currently there is no proven effective clinical treatment available for dry AMD although patients may be treated with vitamin supplements and dietary advice which has been anecdotally shown to help the condition. Patients will also be referred to a low vision clinic and offered counselling and social support as appropriate.

Treatment with argon laser and photodynamic therapy is available for patients with the wet form of AMD who are clinically suitable for these treatments. Treatment with Lucentis (ranibizumab) for wet AMD is also currently available to patients with the greatest clinical priority.

- (iii) The HSC is in the process of expanding existing macular services to provide treatment with Lucentis in line with National Institute for Health and Clinical Excellence guidance endorsed by my Department in October 2008.

## Social Work Degree Courses

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety (i) what financial assistance is available to students from Northern Ireland pursuing accredited social work degree courses in England and Wales; and (ii) whether his Department has any plans to extend the assistance currently available. (AQW 8843/09)

**The Minister of Health, Social Services and Public Safety:** Northern Ireland students undertaking higher education courses in social work are entitled to receive support in accordance with the Education (Student Support) Regulations. All students, subject to eligibility, can apply for a student loan from their relevant Education and Library Board.

In addition, this Department offers a student incentive scheme to encourage high quality applicants domiciled in Northern Ireland to study for the Honours Degree in Social Work here. There are no plans to extend this Scheme to people from Northern Ireland who chose to study for a Degree in Social Work elsewhere in the UK.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### Safer Routes to School Programme

**Mr Butler** asked the Minister for Regional Development how much his Department has spent on the safer routes to school programme in (i) primary schools in urban areas; (ii) primary schools in rural areas; (iii) post-primary schools in urban areas; and (iv) post-primary schools in rural areas, in the last two years. (AQW 8336/09)

**The Minister for Regional Development (Mr Murphy):** In the last two years 59 schools across the North have participated in the Safer Routes to Schools initiative:-

- 44 primary schools of which 35 were in urban areas and 9 in rural areas; and
- 15 post-primary schools of which 14 were in urban areas and 1 in a rural area.

The table below details my Department's Roads Service spend on the Safer Routes to Schools programme, broken down into urban and rural areas for primary and post primary schools, for the last two years.

		2007/2008	2008/09
(i)	Primary schools in urban areas:	£213,103.00	£297,968.00
(ii)	Primary schools in rural areas:	£328,274.00	£272,217.00
(iii)	Post-primary schools in urban areas:	£71,771.00	£43,819.00
(iv)	Post-primary schools in rural areas:	Nil	Nil

In addition to this the total cost spent on promotional resources and marketing for this initiative for the last two years was £60,000. However, this spending is not apportioned by school type.

I can further advise that Roads Service also contributed £263,000 to the EU funded DARD/Sustrans Rural Safe Routes to Schools initiative, which introduced School Travel Plans and associated traffic calming infrastructure, at 18 rural primary schools across the North.

### Castle Street and Mill Street, Comber

**Mr Hamilton** asked the Minister for Regional Development when the improvement scheme for Castle Street and Mill Street in Comber will commence. (AQW 8369/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that a traffic management survey for Comber commenced in January 2009, and a preliminary report should be available by the end of June 2009. Roads Service will then commence consultations with traders and residents on the options contained within the report.

An improvement scheme for Castle Street and Mill Street could be delivered in the current 2009/10 financial year, subject to the outcome of consultations, satisfactory completion of statutory procedures and availability of finance.

### Vandalism of Buses

**Mr Butler** asked the Minister for Regional Development (i) what has the cost of vandalism of buses been to his Department in the last 5 years; and (ii) how much has been spent on repairs following vandalism of buses in the West Belfast constituency in the last 5 years. (AQW 8375/09)

**The Minister for Regional Development:** Translink has informed me that the information requested is only readily available for the last four financial years.

The cost of vandalism/malicious damage to buses across the entire Translink fleet was as follows:-

2005-06	2006-07	2007-08	2008-09
£747,633	£801,027	£694,588	£679,628

It should be noted that these costs are for labour and materials only and do not include associated costs such as staff sickness or lost revenue as a result of buses being out of service.

The cost of repairs following vandalism to buses in West Belfast, since 2005 is as follows:-

2005-06	2006-07	2007-08	2008-09
£167,480	£136,958	£ 95,112	£ 90,406

### NI Railway

**Mr G Robinson** asked the Minister for Regional Development if air traffic control or NI Railway control the railway signals adjacent to the airport in Londonderry, (AQW 8379/09)

**The Minister for Regional Development:** The railway signalling system adjacent to the City of Derry Airport includes colour light signals fitted with automatic train warning systems, controlled from an NIR signal cabin. In order to provide protection while aircraft movements are taking place, the system additionally requires air traffic controllers at the airport to operate a line status switch which prevents the signaller from changing the signals to green.

The design of the new signalling equipment has been considered and approved by the Office of Rail Regulation's Railway Safety Inspectorate. The procedures for use of this signalling system have been agreed between NIR and City of Derry Airport and have been audited and approved by the Civil Aviation Authority.

### EU Funding

**Mr G Robinson** asked the Minister for Regional Development (i) what EU funding he is currently seeking; and (ii) to identify the recipient projects. (AQW 8381/09)

**The Minister for Regional Development:** My Department is currently seeking funding under the Trans-European Transport Network (TEN-T) Programme 2007-2013.

A call for proposals was issued by the EU on 30 March 2009 and the deadline for submission to the EU Commission was 15 May 2009.

An application, under the Annual Works Programme (AWP), was submitted through the Department for Transport (DfT), London and relates to the following three projects:-

	A5 Western Transport Corridor	A6 Londonderry to Dungiven	A8 Belfast to Larne	Total
Estimated Eligible Cost	€20 million	€ 6 million	€ 4.5 million	€30.5 million

In response to President Barroso's EU Taskforce Report, one of the Executive's key objectives is to "increase the number and value of NI projects securing funding from competitive EU funding programmes". In support of this, my Department will continue to explore all avenues for EU Funding including through the INTERREG IV, TEN-T and CIVITAS programmes.

### Cycle Lanes

**Mr Ross** asked the Minister for Regional Development for his assessment on how well cycle lanes are used, and what efforts his Department has made to encourage more people to use bicycles rather than their cars.

(AQW 8387/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that cycle usage is measured through the Northern Ireland Annual Cycle Usage Report, which is compiled by Roads Service. Figures indicate that, between 2000 and 2008, overall cycle usage has increased by an encouraging 57%, and in Belfast the increase is 116%.

Roads Service launched the Travelwise NI initiative in October 2003, to encourage greater use of more sustainable transport modes, including cycling. A dedicated team is currently working in the employer, commuter and school sectors to take the message forward. I am also pleased to be able to advise the Member that the Bike Week promotional campaign, which ran from 13-21 June 2009, attracted more participating cyclists than in previous years. Further information about Roads Service's work to promote sustainable travel can be found at [www.travelwiseni.co.uk](http://www.travelwiseni.co.uk).

### A5 and A6 Routes: Upgrade

**Mr Durkan** asked the Minister for Regional Development, pursuant to AQW 5774/09, when will the report on primary road network connections around Derry city be completed.

(AQW 8422/09)

**The Minister for Regional Development:** I am advised that work on the report is progressing satisfactorily and shall be completed later this summer.

### Portrush: NI Railway Station

**Mr Robinson** asked the Minister for Regional Development what plans are in place for the provision of toilet facilities for people with disabilities at the NI Railway station in Portrush.

(AQW 8423/09)

**The Minister for Regional Development:** Translink advise that there are currently no plans to upgrade the toilet facilities for people with disabilities at Portrush railway station. As part of the overall DDA programme approximately £200k of work was previously carried out on Portrush station. This was limited to safety related issues as the local Council were considering a Masterplan for the general area, which will impact on the Portrush station. Translink are awaiting developments around this before committing to any refurbishment of the station facilities.

### NI Railway

**Mr G Robinson** asked the Minister for Regional Development what plans are in place for the modernisation of the toilet facilities at the NI Railway station in Portrush.

(AQW 8424/09)

**The Minister for Regional Development:** Translink advise that in the short-term there are no plans to modernise the toilet facilities at Portrush railway station. The local Council is currently considering a Masterplan for the general area which will impact on the station and Translink are awaiting further developments before



committing to any refurbishment of the station facilities. You will understand that it is essential to prioritise capital projects to live within the funding allocation and in this instance it makes sense to await further developments.

### Car Parking Fines

**Mr Butler** asked the Minister for Regional Development, since the NSL Services Group was awarded the contract how many (i) car parking fines have been issued in west Belfast; (ii) appeals regarding parking fines have there been in west Belfast; and (iii) of these appeals were successful. (AQW 8439/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that figures for Penalty Charge Notices (PCNs) issued in Belfast are collated on a city wide basis and that it is not possible to provide figures in respect of any one area. However, I can advise that from the commencement of the parking enforcement contract, at the end of October 2006, to 31 March 2009, the number of PCNs issued in the Belfast area, including Castlereagh, was 111,028. This totals 30.9% of all PCNs issued throughout the North for the same period.

The administration of appeals against PCNs is not collated on an area by area basis within the North. For the same period, the total number of PCNs issued is 359,704. Of this number, 42,930 challenges were received and 28,376 (66%) were accepted. Following the issue of a Notice to Owner, 11,859 representations were received and 7,628 (64%) were accepted. Of 538 formal appeals, completed by independent adjudication, 80 (14.9%) were successful.

### Safer Routes to School Programme

**Mr Butler** asked the Minister for Regional Development to detail (i) how much has been spent in west Belfast on the Safer Routes to School programme; (ii) how many schools in west Belfast have benefited from the Safer Routes to School project; and (iii) all the schools in west Belfast that have been involved in the programme. (AQW 8440/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that some £98,000 has been spent on the provision of Safer Routes to School measures at eight schools in the West Belfast constituency. The participating schools are:

- La Salle Boy's Secondary School, Glen Road
- St.Teresa's Primary School, Glen Road
- Christian Brothers Secondary School, Glen Road
- St. Mary's Christian Brothers Grammar School, Glen Road
- St Louise's Comprehensive College, Falls Road
- St. Kevin's Primary School, Falls Road,
- Holy Trinity Primary School, Monagh Link, Monagh Road
- St Aidan's Christian Brothers Primary School, Whiterock Road

### Major Projects: Planned for West Belfast

**Mr Butler** asked the Minister for Regional Development what major projects his Department has planned for the west Belfast constituency over the next 5 years. (AQW 8441/09)

**The Minister for Regional Development:** NI Water has advised that it does not hold details of Capital Infrastructure projects broken down by parliamentary constituency. However, the table below details investment in the west Belfast area until the end of the current financial year, 2009/10.

Project	Estimated Cost
West Belfast/North Lisburn – Crewhill Service Reservoir	£1,320,000
Dunmurry Wastewater Treatment Works Modifications	£8,970,000

NI Water's development plans from 2010/11 onwards will depend on the outcome of the price control review, which will be undertaken in 2010. Following the outcome of this review a prioritised programme of capital works will be developed.

I can also advise that the Department has plans to include the west Belfast area in a bus rapid transit network, within the next five years.

Although there are no major road projects programmed for the West Belfast constituency over the next 5 years, I am sure you will appreciate that although the actual spend on a major work scheme may be within one constituency, the benefits of such schemes are not confined to the immediate area of that constituency or county, in which it is located.

## Marine Issues

**Mr Durkan** asked the Minister for Regional Development to detail (i) the number of staff, and their relevant grade, in his Department who have responsibility for marine issues; and (ii) the annual total cost of marine specific work to his Department. (AQW 8461/09)

**The Minister for Regional Development:** The table below outlines the grade and number of my Department's Roads Service staff directly operating the ferry service across Strangford Lough.

Grade	HPTO	AO and analagous	EOII analagous	AA analagous	Ferry Operative	Roadworker II
Number of staff	1	4	6	4	1	2

In addition to these staff there are also management and support staff involved on a part-time basis. The grades range from Grade 6 to AA, approximately equivalent to three full time staff.

The full cost of the service in 2008/09 was £1,924,743. This included fuel, staff costs, vessel maintenance and maintenance of the ferry-related infrastructure at Strangford and Portaferry. An income of £968,088, from the operation of the ferry, partly offset the full cost.

Grade	Grade 5	Grade 7	Deputy Principal	Staff Officer	EOI and analagous	EOII and analagous	AO and analagous	Support Grade Band 2
Number of staff	1	2	4	1	2	2	1	2

The table below outlines the grade and number of my Department's Core staff who have responsibility for marine-related issues, although most also work on other matters.

The total cost of marine-related work for the core Department during 2008/09 was as follows:

Warrenpoint Harbour grant	Trust Port loans	Rathlin ferry	Legislation costs	Donaghadee harbour	Staff costs
£5,950,000	£3,000,000	£755,000	£65,000	£75,000	£438,000

## Cycle Lanes and Pedestrian Facilities: West Belfast

**Mr Butler** asked the Minister for Regional Development how much his Department has invested in new cycle lanes and pedestrian facilities in west Belfast over the last 2 years. (AQW 8464/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that in West Belfast, expenditure over the last two financial years on cycle lanes and pedestrian facilities has been approximately £77,000 and £251,000 respectively.

I should advise that these figures do not include expenditure on cycle lanes and pedestrian facilities provided as part of other road schemes, for example, the Westlink improvement scheme.

### **Rapid Transport System in West Belfast**

**Mr Butler** asked the Minister for Regional Development for an update on the progress made to date to develop a rapid transport system in west Belfast. (AQW 8465/09)

**The Minister for Regional Development:** Following the Executive's endorsement of the findings of the Strategic Outline Case (SOC), a dedicated Rapid Transit Division was established in January 2009 and has held introductory meetings with several stakeholders in West Belfast. As part of the preliminary design, the division is considering a range of route options to best meet the objectives within the SOC, and, at present, is carrying out the necessary on-site surveys. As this work will take some time to complete, it is likely to be towards the latter part of this year before preliminary plans are available and formal consultation can take place.

### **Translink: GPS Tracking Systems**

**Mr McCallister** asked the Minister for Regional Development, pursuant to AQW 8113/09 and AQW 8114/09, to outline the reasons why punctuality statistics from the GPS tracking system is not collected, retained and analysed by Translink. (AQW 8472/09)

**The Minister for Regional Development:** As I explained in my answers to AQW8113/09 and 8114/09 the GPS systems on Translink vehicles have been installed to identify fare stages for ticketing purposes. They are not vehicle tracking systems.

### **Crawfordsburn Road, Newtownards: Water Supply**

**Mr Shannon** asked the Minister for Regional Development to outline the reasons for the interruption in water supply at the Crawfordsburn Road area, Newtownards on Friday 12 May 2009, at 1am that lasted through to 11.30pm. (AQW 8492/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that the interruption to the water supply at Crawfordsburn Road, Newtownards on Friday 15 May 2009 was caused by a major burst on a trunk watermain at the junction of Tullygardy Road. The burst was isolated and the majority of properties supplied by the watermain were re-supplied with water from another watermain. Around 50 properties supplied direct by the burst watermain could not be supplied from an alternative watermain but supplies were restored to most by 5 pm when the repair was completed. The supply to a small number of properties, mainly in elevated positions, was restored later as a result of the time taken for pressure to build in the system.

### **Translink: GPS Tracking Systems**

**Mr McCallister** asked the Minister for Regional Development, pursuant to AQW 8113/09 and AQW 8114/09, if the road position of buses is sent to a central point by the GPS tracking system at any point in a working day. (AQW 8500/09)

**The Minister for Regional Development:** As I explained in my answers to AQW8113/09 and 8114/09 the GPS systems on Translink vehicles have been installed to identify fare stages for ticketing purposes. They are not vehicle tracking systems.

### **The Beeches, Newtownabbey**

**Mr Burns** asked the Minister for Regional Development in relation to The Beeches, Newtownabbey, to outline (i) the current adoption status of the roads and sewers; (ii) any outstanding work to be undertaken if the roads and sewers need to be improved before adoption; (iii) the approximate cost and timescale of any outstanding work; (iv) if the developer of these properties gone into administration ; if so, (v) what legal options are open to his Department to recover the costs of undertaking any remedial work. (AQW 8523/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that after issuing an enforcement notice, under the Private Streets legislation, in April 2009, Roads Service was informed, on 16 May

2009, by Administrators PricewaterhouseCoopers, that the development company undertaking the construction of The Beeches, Newtownabbey, had ceased trading.

Although a preliminary certificate of adoption was issued in March 2006, the development at The Beeches, is not adopted. However, I can confirm that the sewers were adopted by Water Service in August 2005.

There are currently a number of defects which need to be repaired before the site can be adopted by Roads Service. As the development company is no longer trading, Roads Service has appointed a contractor to complete the outstanding work and it is anticipated that the road will be adopted by the end of August 2009. The cost of the outstanding work is approximately £2,000.

As the developer had put in place a road bond before work commenced, this is available to Roads Service to recover the costs of any work undertaken. I can confirm that this bond will be used to fund the completion of the outstanding work.

NIW has also advised that there is approximately 100 metres of both foul and storm sewer, located in private roadways, which is not covered by the agreement. This section of sewer was not offered for adoption by the developer, who consequently retained responsibility for its operation and maintenance. NIW will consider a written application from residents to adopt these sewers, provided they are constructed to the required adoption standard and the conditions of the Water and Sewerage Services (Northern Ireland) Order 2006 are met. However, the cost of the application will have to be borne by the residents.

### Northern Ireland Water

**Mr Durkan** asked the Minister for Regional Development to outline the remit and terms of reference of the group within NI Water that is reviewing telemetry and the work control centre functions at Altnagelvin. (AQW 8538/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that the remit of the group reviewing telemetry and the work control centre functions at Altnagelvin is to examine the case for introducing a single new Operational Control Centre (OCC) for the whole of the North, incorporating Telemetry and Work Control, taking into account the benefits to customers and the company and all relevant financial and operational factors.

The terms of reference for the project are:-

- to consider the integration of NIW's existing Telemetry centres, currently located at Altnagelvin in Derry and Westland in North Belfast, in order to drive further efficiency;
- to consider the integration of NIW's existing Work Control centres, currently located at Altnagelvin in Derry and Westland in North Belfast, in order to drive further efficiency;
- to evaluate the options for consolidating the integrated Telemetry and Work Control centres at a single Operational Control Centre in order to improve operational effectiveness and efficiency and provide an enhanced service to customers at all times.

### Parking Fines

**Mr Hamilton** asked the Minister for Regional Development, pursuant to AQW 4982/09, for a breakdown of the 25,484 successfully challenged parking fines since the inception of the NCP contract, by each of the 26 local council areas. (AQW 8563/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it does not collate the number of Penalty Charge Notices (PCNs) by council or regional area. However, Roads Service can provide the Member with an update on the number of Challenges to PCNs received by its Parking Enforcement Processing Unit. From commencement of the current parking enforcement contract with NSL Services Group, formerly NCP Services Ltd, at the end of October 2006 to 31 May 2009, the total has risen to 42,812, of which 28,349 were accepted.



## Election Posters

**Mr Hamilton** asked the Minister for Regional Development to outline all his Department's legislation belonging to that relates to the erection of election posters. (AQW 8573/09)

**The Minister for Regional Development:** The Planning (Control of Advertisements) Regulations (Northern Ireland) 1992 allow election posters relating to pending Parliamentary, European Parliamentary, Northern Ireland Assembly or district council elections to be displayed.

I understand that the Department of the Environment's Planning Service practice is to write to all political parties prior to elections, advising of the Regulations for the display of election posters. It is a condition of the Regulations that all election posters are removed within 14 days after the close of the relevant poll to which they relate.

There has been no change to my Department's Roads Service policy regarding the erection of election posters. Although permission is not required from Roads Service, for parties to erect election posters on its property, it does have powers to remove advertising signs, including election posters, from its property, to seek the recovery of costs and to prosecute those responsible for the signs.

In practice, Roads Service would normally approach the individual or organisation concerned, to try to persuade those responsible to remove such signs themselves and would only take further action if this proves necessary.

## Strangford: Interruption to Water Supply

**Mr Shannon** asked the Minister for Regional Development how many people in Strangford were without water for longer than 24 hours during the recent breakages in the system, in each of the last 3 months.

(AQW 8592/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that over the period from 1 March to 31 May 2009, 553 people in Strangford were without water for more than 24 hours as a result of unplanned interruptions. Of these, 550 people were affected by interruptions in March and 3 were affected in May. There were no interruptions in April.

The interruption to the water supply during March was caused by a defect on the mid Ards Trunk watermain.

## Water Supply

**Mr Shannon** asked the Minister for Regional Development, pursuant to AQW 7193/09, how many households have had unplanned interruptions to the water supply, per constituency, in the last three months. (AQW 8594/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that the number of households in each constituency experiencing unplanned interruptions in each of the last 3 months is as follows:-

Constituency	March	April	May
North Belfast	286	38	3
East Belfast	328	37	83
South Belfast	73	0	65
West Belfast	495	739	79
North Down	65	49	22
Strangford	339	447	398
South Down	102	261	191
Lagan Valley	331	471	83
Upper Bann	447	175	169
Newry & Armagh	2719	915	1433

Constituency	March	April	May
Fermanagh & South Tyrone	451	547	631
West Tyrone	115	298	157
Mid Ulster	787	533	388
South Antrim	1	165	158
East Antrim	379	303	119
Foyle	260	383	0
East Derry	589	0	0
North Antrim	277	441	200
<b>Total</b>	<b>8044</b>	<b>5802</b>	<b>4179</b>

### Road Calming Measures

**Lord Browne** asked the Minister for Regional Development if his Department carries out impact assessments after new road calming measures are put in place. (AQW 8596/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it does carry out impact assessments after new road calming measures are put in place.

When undertaking such an assessment, Roads Service will routinely monitor the volume and speed of vehicles at the subject site, following the completion of the scheme. In addition to this, the collision history for the three year period prior to the implementation of a traffic calming scheme is compared against the collisions in the three years following completion of the scheme.

Roads Service has published the Road Safety Engineering Report for 2006/07, which details the engineering measures, including collision histories, undertaken within the Collision Remedial and Traffic Calming programme of works. The report can be viewed at the following website: [www.roadsni.gov.uk/2006-07\\_rdsafetyreport.pdf](http://www.roadsni.gov.uk/2006-07_rdsafetyreport.pdf).

### A2 Shore Road

**Mr K Robinson** asked the Minister for Regional Development what measures have been included in the scheme to upgrade the A2 Shore road, adjacent to Belfast High School to ensure that (i) vehicles entering and exiting the school may do so safely, without impeding traffic flow on the proposed new carriageway; (ii) vehicles can park in the vicinity without disrupting traffic flows; and (iii) a lay-by will be assessed as part of any discussions aimed at alleviating road safety considerations in the vicinity of the school. (AQW 8607/09)

**The Minister for Regional Development:** With regard to the scheme to upgrade the A2 Shore Road, adjacent to Belfast High School, my Department's Roads Service has advised that the proposal for this scheme includes a dual carriageway with a central reserve. All local access to this road will be on a 'left in/left out' basis and there will be no right turn manoeuvres from local accesses. Turning manoeuvres will be accommodated at three locations, on this section of the carriageway, at Shore Avenue, Shorelands and Station Road.

The proposals have been considered in association with Belfast High School and include an entrance and exit onto the Carrickfergus bound carriageway, which will be constructed to appropriate standards.

With regard to vehicles parking in the vicinity, there will be no specific provision, within the current design, for vehicles to park on the carriageway at this location. However, the design does include a lay-by for buses on the Belfast bound carriageway.

In relation to a lay-by, Belfast High School made representations to the Public Inquiry held in October 2007, that a lay-by should be provided in the proposed design. This resulted in the Inspector recommending that an assessment be carried out on the provision of a lay-by at this location. A detailed assessment was subsequently carried out by Roads Service officials and a decision was made, that a lay-by for private cars would not be included in the proposal.

Full details of the 'Response to Public Inquiry Inspectors' Report' can be viewed on the Roads Service website at the following address:

[http://roadimprovements.roadsni.gov.uk/response\\_report.pdf](http://roadimprovements.roadsni.gov.uk/response_report.pdf)

### Knockmore Railway Line

**Mr Burns** asked the Minister for Regional Development to detail any work or studies which have been carried out on the Knockmore Railway line in the Crumlin area within the past 3 months. (AQW 8661/09)

**The Minister for Regional Development:** Translink has not carried out any work or studies on the Knockmore Railway Line in the Crumlin area within the past 3 months and any studies undertaken by outside parties would need to involve liaison with the relevant authorities.

I commissioned a study to consider the possible long term social, physical and economic developments which could be achieved through the enhancement of the railway line along the Northern Railways Corridor. The study will include the Knockmore to Antrim railway line. The report on the findings of the study is expected later this year.

In 2007 a study by an inter-departmental steering group, which looked at the options for future railways investment here, found that there was no case, at that time, for bringing that section of the line back into service. There are limits to the amount of public funding that can be reasonably expected to be allocated to railway services and thus prioritisation of projects within the context of overall capital priorities is necessary. Additionally the revenue consequences of running such a line and the impact on the public service obligation would need to be considered.

### Resurfacing on the M5

**Mr K Robinson** asked the Minister for Regional Development, pursuant to AQW 8426/09, to outline the reasons why erecting a crash barrier on the city bound carriageway of the M5, on the adjacent stretch of the Sustrans path was not considered, given that major resurfacing on the M5 is scheduled for 27-28 June 2009. (AQW 8683/09)

**The Minister for Regional Development:** As I advised the Member in my reply to Assembly Question, AQW 8426/09, my Department's Roads Service was planning to resurface a length of the M5 at the end of June 2009 during overnight road closures. Roads Service has advised that this resurfacing was a surface course repair, which did not alter the existing road profile, and was completed, as scheduled, during the weekend 27-28 June 2009.

Roads Service considers that the application of current standards in relation to a safety barrier, when carrying out resurfacing works, depends on a number of factors. One of these factors is a change to the profile of the existing road. As this resurfacing work did not change the road profile, a review of the safety barrier under current standards was not required.

### Braniel Primary School

**Lord Browne** asked the Minister for Regional Development what consultation his Department has had with Translink and the PSNI regarding the safety of children when exiting from the main entrance at the Braniel Primary School in east Belfast. (AQW 8684/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that as part of the Travelwise Safer Routes to Schools initiative, it has been proactive in providing flashing school warning signs and banded red surfacing with lettering, near the Braniel Primary School entrances on both the Lower Braniel Road and Ravenswood Park.

The road markings, including the 'School Keep Clear' sign, in the vicinity of the school, have recently been refreshed and a section of pedestrian guardrail has been provided directly outside the school pedestrian access.

In order to assess the effectiveness of the existing road humps, Roads Service are also arranging for a traffic survey on Ravenswood Park around the school.

I am further advised that the PSNI is fully aware of the above measures and have also attended recent meetings with the school and other interested parties.

### Roads Service

**Mr Weir** asked the Minister for Regional Development to detail (i) the total grassed area maintained by Roads Service; and (ii) the total cost to Roads Service of maintaining their grassed areas. (AQW 8686/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the total grassed area maintained by Roads Service equates to some 7,240 hectares. The total cost of maintaining these grassed areas, in the 2008/09 financial year, amounted to £5.4 million.

### Braniel Primary School

**Lord Browne** asked the Minister for Regional Development what measures his Department is proposing to improve the safety of children when exiting from the main entrance at the Braniel Primary School in east Belfast. (AQW 8724/09)

**The Minister for Regional Development:** In my response to the Member's previous Assembly Question regarding this issue (AQW 8684/09), I advised that my Department's Roads Service has already undertaken measures to improve road safety at this location and that it proposes to carry out a further traffic survey on Ravenswood Park close to the school. The results of this survey will be used to assess the need for any additional measures.

In addition, I am further advised that Roads Service officials have also met with the school authorities and suggested that the safety of children could be enhanced, if they were to consider minor changes to the pedestrian access to the school. This is a matter for the South Eastern Education and Library Board to consider.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Renovation Grants

**Mr Elliott** asked the Minister for Social Development if applications already received and approved for renovation grants will be time-limited by Building Control & Planning Service due to the current freeze on these grants, or if those applicants will be offered an extension. (AQW 8414/09)

**The Minister for Social Development (Ms Ritchie):** Formal approvals issued by the Housing Executive to applicants for Renovation Grants specify that works should commence within six months and be completed within one year.

Under Article 34 of the Planning (NI) Order 1991, planning permissions are issued with a condition requiring development to commence within five years of the date on which permission is granted. Planning Service has no legal power to extend planning permission, in addition, the Building Regulations (Northern Ireland) 2000 (as amended) require either plans to be submitted to a District Council for building regulations approval, or a description of the intended work (building notice) to be given to the Council in accordance with the regulations.

If that work has not commenced within three years of the deposit being received the Council may declare the plans to be of no effect (as if they had never been deposited). In the case of a building notice, it automatically becomes invalid after three years.

### Red Sky Contractors

**Mr Butler** asked the Minister for Social Development to provide details of the number of complaints made to the Housing Executive regarding work carried out by Red Sky contractors. (AQW 8452/09)



**The Minister for Social Development:** Since August 2004 the Housing Executive has investigated 316 complaints through its formal complaints management procedure regarding work completed by the contractor. During this period the contractor has completed more than 230,000 repair jobs across six of the Housing Executive's District Office areas.

### Child Maintenance and Enforcement Division

**Mr McNarry** asked the Minister for Social Development what assessment she has made of public concern over the Child Maintenance and Enforcement Division, and if she intends to initiate a review or inquiry into its work, particularly in relation to fathers who are not fulfilling their legal obligations. (AQW 8506/09)

**The Minister for Social Development:** I receive regular briefings on the performance of the Division, and was pleased to note that in the last Quarterly Report, the majority of the Division's targets had been achieved, and indeed exceeded. These include £2.81 million in child maintenance debt collected in 2008/09 (against a target of £2.5 million), demonstrating the success of the Division's increased focus on Enforcement activity. I will of course continue to examine the Division's performance to ensure this progress is maintained.

Parents who have not fully met their child maintenance obligations are, in effect, robbing their children. In September 2008, I launched an Enforcement media campaign aimed at Non Resident Parents (NRPs), particularly those not meeting their financial responsibilities. This campaign, entitled "You Owe Your Child", highlighted the enforcement powers that the Division can and will apply if a Non Resident Parent fails to pay the full amount of child maintenance.

Enforcement powers available to the Division include the ability to request that an employer deduct regular maintenance and arrears from an NRP's salary, and to apply to the Courts for a liability order. Through the Northern Ireland Child Maintenance Act, which I brought to the Assembly and which received Royal Assent in July 2008, the Division's Enforcement powers were enhanced. From August 2009, the Act provides the facility to impose lump sum deduction orders and regular deduction orders on NRPs' bank accounts. Prosecutions for failure to provide information rose from 16 last year to 36 in 2008-09; an increase of over 100%. In addition, 213 liability orders were secured. This is evidence of my ongoing commitment and the commitment of staff in my Division to getting money to the children who are entitled to it and I am determined that we will use all the enforcement powers at our disposal to deliver for children.

### Pension Credit Application Forms

**Mrs I Robinson** asked the Minister for Social Development to detail how many pension credit application forms submitted to HM Revenue and Customs in Londonderry are currently logged as lost or misplaced. (AQW 8519/09)

**The Minister for Social Development:** State Pension Credit is administered by the Social Security Agency through the Pension Service at Carlisle House in Londonderry. The administration process does not involve the referral of application forms to HM Revenue & Customs.

### Social Housing: East Belfast

**Lord Browne** asked the Minister for Social Development how many social houses have been built in east Belfast, in each of the last three years; and if any of them are vacant. (AQW 8542/09)

**The Minister for Social Development:** The number of social housing units either built or acquired by Housing Associations in each of the last three years in the parliamentary constituency of East Belfast, on the basis of housing starts, is as follows:-

2006/07	2007/08	2008/09
99 units	224 units	59 units

Ten of these are vacant. There are also 128 properties included in the above figures which are not classed as vacant as these have not yet been handed over by the developers to the Housing Associations for occupation.

### Small Pockets of Deprivation Fund

**Mr Weir** asked the Minister for Social Development, in relation to Small Pockets of Deprivation funding and Local Communities funding prior to the implementation of RPA in 2011, to detail which councils or council groups are involved with her Department in pilot projects. (AQW 8587/09)

**The Minister for Social Development:** There are no pilot projects in relation to Small Pockets of Deprivation or the Local Community Fund.

### Small Pockets of Deprivation Fund

**Mr Weir** asked the Minister for Social Development until what date will her Department continue to fund the Small Pockets of Deprivation Fund and the Local Communities Fund. (AQW 8589/09)

**The Minister for Social Development:** The Small Pockets of Deprivation funding will continue until 31 March 2010. An evaluation of the funding up to 31 March 2009 is being finalised. I will make a decision on the future of this programme before the end of this year. It is expected that the Local Community Fund will close at the end of this financial year.

### Small Pockets of Deprivation Fund

**Mr Weir** asked the Minister for Social Development how much funding will transfer to local councils with the transfer of funds for Small Pockets of Deprivation and the Local Communities Fund; and will any of this funding be available to councils before 2011. (AQW 8595/09)

**The Minister for Social Development:** As I have not yet made a decision on the future of the Small Pockets of Deprivation Programme after 31 March 2010, it would be premature to speculate on the role of District Councils post 2011. Some Councils currently benefit from this programme. The Local Community Fund is currently available in 18 District Council areas, and will provide £1 million during this financial year. It is expected that the fund will close at the end of this financial year.

### Dungannon District Housing at Old Ballygawley Road

**Mr P J Bradley** asked the Minister for Social Development (i) what assessment she has made of the approved Dungannon District Housing at Old Ballygawley Road; (ii) to provide the background to the scheme; (iii) what the current situation is; and (iv) to outline the proposed timetable for progress. (AQW 8626/09)

**The Minister for Social Development:** A formal application was submitted to the Housing Executive in February 2009 for approval to include this scheme on the Social Housing Development Programme. In April 2009 the Housing Executive advised Dungannon and District Housing Association that the scheme was potentially in breach of EU Procurement law. Further discussions have since taken place to ascertain the exact status of this scheme and to clarify the procurement issues. I understand the Housing Executive is currently assessing the application and a formal decision will be issued to Dungannon and District Housing Association within the next week.

### Media Training

**Mr T Clarke** asked the Minister for Social Development how much her Department has spent on media training for (i) the Minister; and (ii) senior officials since May 2007. (AQW 8649/09)

**The Minister for Social Development:** Since May 2007 Department for Social Development expenditure on media training is

- (i) £3232 for the Minister and
- (ii) 21 senior officials have undergone media training at a total cost of £5300.

### Glen Estate, Newtownards

**Mr Shannon** asked the Minister for Social Development when the Housing Executive will start and complete the one and two bedroom bungalow scheme in the Glen Estate, Newtownards. (AQW 8669/09)

**The Minister for Social Development:** The Housing Executive recently reviewed its programme of planned improvement schemes and is unable to confirm when this work will commence. The delivery of their programmes of activity is dependent on obtaining appropriate approvals and the availability of finance. There is currently a £100million shortfall in the Housing Budget and this inevitably impacts on a wide range of planned projects and programmes.

### Social Housing

**Mr Brady** asked the Minister for Social Development, pursuant to AQW 7709/09, to outline how the amount of money paid out by her Department to individual contractors is deemed “commercially sensitive”, and withheld from the public. (AQW 8700/09)

**The Minister for Social Development:** I have been advised by the Housing Executive that if the cost information sought were to be requested under Freedom of Information, it would most likely refuse to disclose this information, relying on Section 43(2) “Information is exempt information if its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).” This exemption is a ‘qualified’ exemption and is subject to what is known as a ‘Public Interest Test’.

In all recent cases the Housing Executive has tended to take the view that the public interest in maintaining the exemption outweighs the public interest in disclosure. On this basis, the Housing Executive is minded not to disclose individual scheme cost details on the grounds that the information is likely to be prejudicial to the successful negotiation of commercial contracts.

### Social Security Tribunal Hearing

**Mr Brady** asked the Minister for Social Development to detail (i) the average cost to her Department of a Social Security Tribunal hearing; (ii) the cost to her Department of holding tribunals in the last twelve months, including wages and travel and catering costs for the sitting panel, and room hire; and (iii) the number of tribunals that have taken place in the last 12 months. (AQW 8701/09)

**The Minister for Social Development:** The average cost to my Department of a Social Security Tribunal hearing, for the financial year 2008/09, was £280. This included all costs relating to appeals from the point of receipt within The Appeals Service to the issue of any determinations by a Social Security Commissioner.

The cost to my Department of holding tribunals in the 2008/09 financial year was £4,735,877. This included £2,259,279 fees and expenses for the tribunal panel and £104,754 for room hire. There were no catering costs incurred.

The number of tribunal hearings arranged in 2008/09 was 16,940. Cancellations are included in this figure as these also represent a cost to my Department.

### Social Housing

**Mr Brady** asked the Minister for Social Development to detail the amount paid by her Department to individual contractors and companies for Social Housing since she took office. (AQW 8702/09)

**The Minister for Social Development:** The amount paid to individual contractors and companies is deemed commercially sensitive and has not been provided. However, the total amount of cash spend for the Social Housing Development Programme, including “Off the Shelf” purchases is as follows:-

2007/08	2008/09
£172m	£143m

### Queen's Parade Redevelopment

**Mr Wilson** asked the Minister for Social Development how many submissions were received during the two week consultation on the Queen's Parade redevelopment; and what percentage of these submissions expressed concern at some aspect of the development. (AQW 8718/09)

**The Minister for Social Development:** Due to an exceptionally high level of interest in the Queen's Parade proposals, I have decided to extend the public consultation on the scheme from two weeks to six weeks. My Department received 501 responses during the initial two week period from 10 June to 24 June. An evaluation of all responses will start once the consultation period ends on 24 July 2009.

### Queen's Parade Methodist Church

**Mr Wilson** asked the Minister for Social Development if her Department had any discussions with the Queen's Parade Methodist Church about the impact on the activities of the church of the proposed development on Queen's Parade. (AQW 8720/09)

**The Minister for Social Development:** My Department is currently carrying out a public consultation exercise to gather the views of all interested parties on the proposed development plans for Queen's Parade. During the course of this consultation, officials in my Department have had discussions with representatives of the Methodist Church on Queen's Parade, who highlighted issues that may impact on the activities of the church. These will be taken into account as part of the evaluation process of the public consultation.

### Medical Support Service: Social Security Agency

**Mr Durkan** asked the Minister for Social Development (i) what assessment has been carried out of the performance of the Medical Support Service of the Social Security Agency; (ii) what was the outcome of that assessment; (iii) whether her Department is bringing forward plans in respect of reform of this service; and (iv) to detail the basis for any such plans. (AQW 8744/09)

**The Minister for Social Development:** In view of the changing Welfare Reform agenda, the Agency carried out a business focused review of Medical Support Services in 2005 to assess its performance and ability to meet current and future business requirements. While the review concluded that the delivery of Medical Support Services at that point was 'fit for purpose' it did highlight significant risks and issues which would result in the service increasingly being unable to deliver the Agency's business needs, particularly given the proposed introduction of Employment and Support Allowance.

An Outline Business Case was completed which considered various options for the future delivery of the service. Based on this Value for Money assessment, the business case concluded that the most cost effective method of ensuring appropriate delivery of the service was to outsource provision to a third party partner.

A procurement exercise is at an advanced stage and it is anticipated that the Invitation to Submit Final Tenders will be issued mid/late August 2009 with contract award to the successful bidder by late October 2009. Based on this timetable, cutover to the new provider will take place in early 2010.

### Housing Executive Grant Aided Works

**Mr Irwin** asked the Minister for Social Development, pursuant to AQW 8398/09 and in light of a departmental decision not to award grants, (i) what plans she has to assist applicants with the administration costs incurred whilst pursuing an application for grant assistance, such as planning and design fees; and (ii) what options are available to applicants who have been issued with 'urgent works notices' but have not received grant aid. (AQW 8795/09)

**The Minister for Social Development:** In relation to (i) there is no statutory provision to enable the Housing Executive to recompense expenses incurred by applicants for architect and other fees associated with these grant applications as the relevant legislation is quite specific that such fees are only recoverable if the grant is approved and the works are satisfactorily completed.



In relation to (ii) normally a grant applicant may not commence the proposed works before a formal application for grant aid has been made. However, where an applicant identifies a situation where it is beneficial to carry out some works quickly, the Housing Executive can use its discretion, in the form of an urgent works approval. This does not represent any commitment to provide grant aid or the outcome of any application for grant aid, and the notes attached to such an urgent works approval indicate this.

The Housing Executive is reviewing applications, some of which may have urgent works notices, as applications for discretionary grants may be approved where exceptional circumstances apply. For those applications where there are no exceptional circumstances, the information will be held on file in the event that additional funding may become available.



## NORTHERN IRELAND ASSEMBLY

Friday 10 July 2009

### Written Answers to Questions

#### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

##### Members of the European Parliament

**Mr Gardiner** asked the First Minister and deputy First Minister to outline their plans to create a more structured relationship with Northern Ireland's three Members of the European Parliament. (AQW 8350/09)

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** The Executive's office in Brussels had a good working relationship with our MEPs under the last mandate and we would expect that relationship to continue. The issue of MEP engagement is currently under review. Officials plan to meet each of the MEPs in the near future and will take their views on the need for a more structured relationship.

##### Cohesion, Sharing and Integration Strategy

**Mrs D Kelly** asked the First Minister and deputy First Minister, in light of the recent racist attacks and incidents in South Belfast, when the Cohesion, Sharing and Integration Strategy will be published. (AQW 8475/09)

**The First Minister and deputy First Minister:** We are appalled by the deplorable racist attacks on Romanian families in the South and East Belfast areas within the past two weeks, and indeed other recent racist and sectarian attacks.

These are unacceptable acts on men, women and young children who came here to build a new future for themselves. This incident has done major damage to our reputation and our efforts to build a shared and better future for everyone.

We have consistently stated that migrant workers are bringing very real benefits both to our society and our economy. We welcome and support those who have come to live and work here and we utterly condemn hate crime and discrimination of any kind.

It must be remembered that these are the actions of a few; most people were appalled, and many acted to support these families.

A range of groups we fund in Belfast, and local community representatives, are working to prevent more attacks of this kind and to support the unfortunate victims.

We are fully committed to building a cohesive, shared and integrated society for all. We want to ensure that newcomers to our shores are welcomed into communities which are not divided, separate or unequal, whilst at the same time addressing the challenges that face new and host communities.

We are on record as stating that we are finalising proposals for a draft Programme of Cohesion, Sharing and Integration. That Programme must, and will, tackle the challenges which local communities are facing. It will set a framework to confront racism, sectarianism and other prejudices.

We hear the calls for us to conclude the preparation of our policy proposals. We are hopeful that work on this is nearing completion.

However, we also recognise that a framework alone is not enough. It requires the efforts of us all to stand up to reject the behaviours and prejudices which underpin these actions.

We can reassure communities, particularly the most vulnerable, that whilst we liaise with the Assembly Committee, the work of challenging sectarianism, racism and all forms of intolerance is continuing with our active support.

### Gender Advisory Panel

**Mr Weir** asked the First Minister and deputy First Minister to detail the planned activities of the Gender Advisory Panel after 2009. (AQW 8485/09)

**The First Minister and deputy First Minister:** It is envisaged that the planned activities of the Gender Advisory Panel after 2009 will continue to focus on implementing the 10-year Gender Equality Strategy, and preparing for the mid-term review of the strategy in 2011.

The current terms of reference for the Gender Advisory Panel are due for review in June 2009.

The next meeting of the Gender Advisory Panel is to take place on 11 September 2009. The current terms of reference stipulate that meetings shall take place several times a year and members of the advisory panel will be given two optional dates 4 weeks in advance of a meeting.

### Gender Advisory Panel

**Mr Weir** asked the First Minister and deputy First Minister to outline the timescales for any future activities of the Gender Advisory Panel. (AQW 8486/09)

**The First Minister and deputy First Minister:** It is envisaged that the planned activities of the Gender Advisory Panel after 2009 will continue to focus on implementing the 10-year Gender Equality Strategy, and preparing for the mid-term review of the strategy in 2011.

The current terms of reference for the Gender Advisory Panel are due for review in June 2009.

The next meeting of the Gender Advisory Panel is to take place on 11 September 2009. The current terms of reference stipulate that meetings shall take place several times a year and members of the advisory panel will be given two optional dates 4 weeks in advance of a meeting.

### Gender Advisory Panel

**Mr Weir** asked the First Minister and deputy First Minister the dates for future meetings of the Gender Advisory Panel. (AQW 8487/09)

**The First Minister and deputy First Minister:** It is envisaged that the planned activities of the Gender Advisory Panel after 2009 will continue to focus on implementing the 10-year Gender Equality Strategy, and preparing for the mid-term review of the strategy in 2011.

The current terms of reference for the Gender Advisory Panel are due for review in June 2009.

The next meeting of the Gender Advisory Panel is to take place on 11 September 2009. The current terms of reference stipulate that meetings shall take place several times a year and members of the advisory panel will be given two optional dates 4 weeks in advance of a meeting.

### Presbyterian Mutual Society

**Mr Butler** asked the First Minister and deputy First Minister for details of their meeting with the Prime Minister regarding the Presbyterian Mutual Society. (AQW 8552/09)

**The First Minister and deputy First Minister:** We met with Prime Minister Gordon Brown in London on 17 June to seek an early resolution of this situation and to bring some comfort to members of the PMS. At the meeting, Prime Minister Gordon Brown agreed to set up a working group with representatives from HM Treasury, Department of Finance and Personnel and the Department of Enterprise, Trade and Investment to reach a solution. It will be the work of this group to consider options available and to bring forward proposals



to deal with the situation facing PMS savers. We are waiting on the outcome of this group which is expected by September.

### Disability Action Plans

**Mr Butler** asked the First Minister and deputy First Minister which public bodies who have yet to submit disability action plans to the Equality Commission; and what steps they are taking to ensure that those bodies comply with the disability legislation. (AQW 8553/09)

**The First Minister and deputy First Minister:** Eight public authorities have yet to submit a disability action plan: the Department for Culture, Media and Sport; the Postal Services Commission; the British Library; the Open University; Woodvale and Shankill Housing Association; the North/South language Body, (Foras Na Gaeilge and the Ulster Scots Agency); Newtownabbey District Policing Partnership; and the Public Prosecution Service. The Commission is continuing to correspond with and assist those public authorities that have yet to submit a disability action plan.

### Peace III Funding

**Mr Weir** asked the First Minister and deputy First Minister, under Peace III funding, at what stage is each of the Council Clusters. (AQW 8584/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister does not hold this information. We suggest that you direct your inquiry to the Special EU Programmes Body.

### Peace III Funding

**Mr Weir** asked the First Minister and deputy First Minister to detail which Council Clusters have issued letters of offer to groups for funding under Peace III. (AQW 8591/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister does not hold any information on Letters of Offer issued to groups for PEACE III funding by Council Clusters.

We suggest that you direct your inquiry to the Special EU Programmes Body.

### Performance Management Process

**Mr McGlone** asked the First Minister and deputy First Minister to detail any Ministerial input to the assessment by the Head of the Civil Service on the performance of Permanent Secretaries in the annual performance management process; and how the results of this process are made available to the public. (AQW 8659/09)

**The First Minister and deputy First Minister:** As part of the annual performance management process, the Head of the Civil Service meets with each Minister to take their views on the performance of the Permanent Secretary in their respective Departments.

Information relating to an individual's performance assessment is considered personal information under the Data Protection Act and therefore it would be a breach of the Act to disclose this publicly.

### Strategic Investment Board

**Mr Kennedy** asked the First Minister and deputy First Minister which branch of Government is responsible for (i) Strategic Investment Board job advertisements and (ii) filling those vacancies. (AQW 8786/09)

**The First Minister and deputy First Minister:** Strategic Investment Board Limited supports the Executive in delivering its investment programme. In fulfilling that role on behalf of the Executive and Departments, responsibility for Strategic Investment Board job advertisements and filling those vacancies rests with Strategic Investment Board Limited.

### Strategic Investment Board

**Mr Kennedy** asked the First Minister and deputy First Minister what role their Department has in the Strategic Investment Board's development of Lisanelly, Omagh. (AQW 8787/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister does not have a direct role in the development of Lisanelly, Omagh as this is a Department of Education project.

Strategic Investment Board Limited, which is owned by the Office of the First Minister and deputy First Minister, is providing input to the development of Lisanelly on behalf of and in support of the Department of Education. This is in line with its role in supporting the Executive in delivering its investment programme.

### Strategic Investment Board

**Mr Kennedy** asked the First Minister and deputy First Minister under which guidelines do Strategic Investment Board job advertisements fall. (AQW 8788/09)

**The First Minister and deputy First Minister:** Strategic Investment Board Limited conforms to the legislation on equality of opportunity in relation to the placement of job advertisements.

Strategic Investment Board Limited supports the Executive in delivering its investment programme. In the event that a Strategic Investment Board job advertisement is required to support a Department-led project, Strategic Investment Board Limited may advertise a post under the Department's logo and in line with that Department's guidelines in relation to job advertisements.

### Executive Meeting

**Mr Kennedy** asked the First Minister and deputy First Minister on what date and at what time, to the nearest five minute interval, was the final agenda for the Executive meeting of 25 June 2009 (i) agreed; and (ii) circulated to Ministers. (AQW 8840/09)

**The First Minister and deputy First Minister:** It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

### June Monitoring Round Statement

**Mr Kennedy** asked the First Minister and deputy First Minister on what date and at what time, to the nearest five minute interval, was the June monitoring round statement from the Minister of Finance and Personnel (i) passed to OFMDFM; (ii) approved by OFMDFM; and (iii) circulated to Ministers. (AQW 8841/09)

**The First Minister and deputy First Minister:** It is not our practice to disclose details of Executive business. The content of Executive papers and all aspects of Executive business are confidential.

## DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT

### Hedge Cutting

**Lord Morrow** asked the Minister of Agriculture and Rural Development why the hedge cutting season in Northern Ireland differs from that in the rest of the United Kingdom. (AQW 8530/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** As part of Cross-Compliance, the north of Ireland has Good Agricultural and Environmental Conditions (GAEC's) which reflect the environmental concerns for our area. The hedge cutting dates here are the same as for Wales, whilst England and Scotland are different.

Wales	Scotland	England	NI
1 March to 31 August	1 March to 31 July	1 March to 31 July	1 March to 31 August

In the north of Ireland, song thrush, linnet and bullfinch all have active nests into August and have undergone declines of over 50% in the last 25 years, such that they are listed on British Birds of Conservation Concern and are Priority Species under the NI Biodiversity Strategy. More common and widespread species (dunnock, wren, blackbird, chaffinch and greenfinch) commonly have active nests into August or have been found nesting into August (wren, blackbird, chaffinch and greenfinch).

The Wildlife (NI) Order 1985 specifies no closed period. Nevertheless the Order gives legal protection to all wild birds in the North. Under Part 2 of the Order it is an offence to intentionally take, damage or destroy the nest of any wild bird while it is in use or being built, or take or destroy the eggs of any wild bird. By prohibiting hedge cutting between 1 March and 31 August, DARD is ensuring that farmers comply with the Wildlife Order.

### Dangerous Dogs Legislation

**Mr G Robinson** asked the Minister of Agriculture and Rural Development for an update on the review of the dangerous dogs legislation. (AQW 8539/09)

**The Minister of Agriculture and Rural Development:** My review of the dangerous dogs legislation is drawing to a close. My officials will shortly be presenting me with all the relevant evidence that has been obtained from meetings with key stakeholders, including the PSNI and District Councils, and a wide range of interested parties from here the south and Britain.

I intend to bring forward my legislative proposals to the Executive after the Summer Recess.

### Draft Bee Health Strategy

**Mr Cree** asked the Minister of Agriculture and Rural Development if she intends to put the draft Bee Health Strategy out for public consultation. (AQW 8541/09)

**The Minister of Agriculture and Rural Development:** Yes, I intend to put the draft Bee Health Strategy out to public consultation in late 2009.

### Bee Population

**Mr Shannon** asked the Minister of Agriculture and Rural Development what discussions she has had with relevant organisations to address the decline in the bee population and pollination. (AQW 8543/09)

**The Minister of Agriculture and Rural Development:** In the context of my attendance at the European Conference of Apidology (EurBee3) on 9 September 2008 and at the Ulster Beekeepers Association Conference on 4 March 2009, I have had informal discussions with the industry regarding the perceived decline in the bee population and pollination.

In addressing concerns raised, it is my intention to bring forward a Bee Health Strategy later in the year and as part of the development of the Strategy my officials will have discussions with all key stakeholders.

### Bee Industry

**Mr Shannon** asked the Minister of Agriculture and Rural Development how many people are currently employed in the bee industry. (AQW 8547/09)

**The Minister of Agriculture and Rural Development:** There are currently no commercial beekeepers here, the sector is exclusively hobbyist.

It is estimated that there are around 1,000 hobbyist beekeepers in the north of Ireland.

## Climate Change

**Mr Ross** asked the Minister of Agriculture and Rural Development to detail the number of staff in her Department responsible for addressing issues on climate change. (AQW 8619/09)

**The Minister of Agriculture and Rural Development:** Within the Department 5 members of staff have either full or partial responsibility for addressing issues on climate change.

I would add that the Department is also involved in significant operational activity relating to environmental sustainability. This relates to the Department's operational work on key priorities such as the nitrates action plan, renewable energy and the agri-environment programmes.

The Agri Food and Biosciences Institute (AFBI) is an executive Non Departmental Body sponsored by DARD. In addressing the research objectives of DARD, AFBI provides a sound, scientific basis for government policy on agriculture and the environment. AFBI undertakes basic, strategic and applied multidisciplinary research, relevant to achieving efficient and responsible practices in sustainable farming, food, fishing and aquaculture industries. Within AFBI 28 staff have either full or partial responsibility for addressing issues on climate change.

## Climate Change

**Mr Weir** asked the Minister of Agriculture and Rural Development with which groups has she had discussions on the impact of climate change on the agricultural community. (AQW 8621/09)

**The Minister of Agriculture and Rural Development:** Locally, DOE has lead responsibility for climate change, bringing cross-cutting issues to the Executive – which is already committed to cutting emissions and meeting obligations under the Climate Change Act.

I recently discussed the issue of climate change with British Minister, Hilary Benn and other devolved Ministers in Scotland and Wales. Responding to climate change will create both challenges and opportunities for the agri-food industry. I am keen to ensure that the industry plays its part in tackling the factors that contribute to climate change while allowing it to get on with the business of producing food.

My officials, and in particular the Departmental Scientific Adviser (DSA), are closely engaged with DEFRA, other devolved administrations and the Department of Agriculture, Fisheries and Food on scientific issues relevant to climate change. In recent weeks the DSA has participated in climate change meetings in Dublin, Edinburgh, London and Paris.

I have asked the DSA to examine and report to me on the current scientific knowledge relating to climate change and the implications for the agri-food industry. This will inform the development of a strategic approach by the agri-food industry to the issue.

Climate change is central to the work of the Sustainable Development Commission with whom I recently met. Also the Agricultural Stakeholder Forum on Renewable Energy, that I established last year, have examined the sector's ability to mitigate Greenhouse Gas Emissions in terms of carbon equivalents at farm and forest level. The Industry Advisory Panel, which my department has supported, is planning to examine both the pressures that are arising from the market and the policy developments and targets which will follow from the Climate Change Strategy.

## Climate Change

**Mr Weir** asked the Minister of Agriculture and Rural Development what contact her Department has had with the DEFRA linked agricultural group on climate change. (AQW 8622/09)

**The Minister of Agriculture and Rural Development:** Locally, DOE has lead responsibility for climate change, bringing cross-cutting issues to the Executive – which is already committed to cutting emissions and meeting obligations under the Climate Change Act.

I recently discussed the issue of climate change with British Minister, Hilary Benn and other devolved Ministers in Scotland and Wales. Responding to climate change will create both challenges and opportunities for the agri-food industry. I am keen to ensure that the industry plays its part in tackling the factors that contribute to climate change while allowing it to get on with the business of producing food.



The DEFRA Rural Climate Change Forum, RCCF (chaired by John Gilliland) intends to include the Agri-food Biosciences Institute (AfBI) as part of its ongoing work on developing an evidence base for policy on mitigating greenhouse gas emissions from agriculture. The Departmental Scientific Adviser (DSA) also has significant and ongoing contact with the RCCF.

The Flood Management policy framework “Living with Rivers and the Sea” recognises the threat posed by climate change for the management of flood risk. Through the delivery of the policy framework DARD Rivers Agency will work with other Government partners, stakeholders and the public through a process of consultation and detailed policy development.

A key element of the policy framework is the implementation of the EU Floods Directive, the purpose of which is to establish a framework for the management and assessment of flood risks including the impact of climate change. As part of the process of engagement with interested parties an NI Stakeholder Group has been formed with invitations extended to a range of bodies including the UFU and NIAPA. A successful inaugural meeting of the Stakeholder Group was held on 24 June 2009.

My officials also meet regularly with their DOE and DEFRA counterparts on the development of the Climate Change Strategy and it is perhaps reassuring to note that England, Wales and Scotland also see the base of their mitigation strategies around themes such as agri-environment, protection and expansion of forestry including farm woodland, nutrient efficiency and renewable energy such as anaerobic digestion and short rotation coppice. Work to form a Climate Change Strategic Plan is a likely next step taking into account the level of annual reduction that we here in the North will need to achieve.

### Climate Change

**Mr Weir** asked the Minister of Agriculture and Rural Development what consultation her Department will have with DEFRA on the agricultural element of the UK’s position at the climate change conference in Copenhagen. (AQW 8624/09)

**The Minister of Agriculture and Rural Development:** International negotiations are the responsibility of Whitehall. A road map in pamphlet form has recently been issued by the Department of Energy and Climate Change (DECC) which outlines the contribution expected of the UK as a member state.

We will also be liaising with the Department of Agriculture, Fisheries and Food (DAFF) on the southern Government’s position on carbon reduction in advance of Copenhagen.

I am keen that DECC continues to keep the devolved administrations informed of progress on this very significant issue.

### Departmental Research Facility, Hillsborough

**Mr Weir** asked the Minister of Agriculture and Rural Development if there are any joint projects, planned or initiated, between the departmental research facility at Hillsborough and its equivalent in Scotland. (AQW 8625/09)

**The Minister of Agriculture and Rural Development:** AFBI Hillsborough does not currently have any active or agreed joint projects with the Scottish Agricultural College (SAC) or other Scottish research institutes.

AFBI scientists are working together with SAC scientists to prepare a bid to the DEFRA Link Programme for funding for a joint project on research to underpin genetic improvement programmes for the beef sector.

### Ulster Farmers’ Union and the Northern Ireland Agricultural Producers’ Association

**Mr Shannon** asked the Minister of Agriculture and Rural Development what discussions she has had with farming communities through the Ulster Farmers’ Union and the Northern Ireland Agricultural Producers’ Association for input on proposals she intends to bring to Brussels. (AQW 8666/09)

**The Minister of Agriculture and Rural Development:** Both I and my Departmental officials meet frequently with the Ulster Farmers’ Union and the NI Agricultural Producers’ Association in a range of different fora and we will discuss, as necessary, any issues I wish to take to Brussels. A current example is the modification

of the NI Rural Development Programme (NIRDP) which is due for submission to Brussels by 15 July 2009. My Departmental officials discussed proposed amendments to the NIRDP with the Programme's Monitoring Committee in May 2009 and recently circulated a paper with further details on the content of this modification.

The Monitoring Committee includes representatives from both the Ulster Farmers' Union and the NI Agricultural Producers' Association.

I have also actively engaged with the Ulster Farmers' Union and the NI Agricultural Producers' Association on EU proposals for the electronic identification of sheep which will come into operation at the end of the year. Before meeting EU Commissioners in Brussels on Sheep Identification matters I spoke extensively to both organisations.

### Imported Milk

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail the amount of milk imported in (i) 2007; and (ii) 2008 from (a) England; (b) Wales; (c) Scotland; (d) Republic of Ireland; and (e) other countries; and to list these other countries. (AQW 8690/09)

**The Minister of Agriculture and Rural Development:** The Department collects information on the volume of raw milk (milk requiring further processing) purchased from outside the north of Ireland by processors, but does not routinely collect information on where this milk has been sourced. In 2007, there were 19 million litres of whole milk, 32 million litres of skim milk and 6 million litres of cream purchased from outside the North. In 2008, there were 21 million litres of whole milk, 19 million litres of skim milk and 8 million litres of cream purchased from outside the North.

### Exported Milk

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail the amount of milk exported in (i) 2007; and (ii) 2008 to (a) England; (b) Wales; (c) Scotland; (d) Republic of Ireland; and (e) other countries; and to list these other countries. (AQW 8691/09)

**The Minister of Agriculture and Rural Development:** The Department collects information on the amounts of raw milk (milk requiring further processing) exported or sold outside of the north of Ireland, but does not routinely collect information on the destination of this milk. The data on raw milk indicates that in 2007, there were 470 million litres of whole milk, 56 million litres of skim milk and 11 million litres of cream exported or sold outside of the North. In 2008, there were 502 million litres of whole milk, 51 million litres of skim milk and 6 million litres of cream exported or sold outside of the North.

### Milk Prices

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail the current price per litre paid to farmers for milk in (i) England; (ii) Wales; (iii) Scotland; and (iv) Northern Ireland. (AQW 8693/09)

**The Minister of Agriculture and Rural Development:** Published average farmgate milk prices are available for Britain as a whole, but not separately for England, Scotland and Wales. The average farmgate milk price in Britain was 24.18 pence per litre in April 2009. The average farmgate milk price in the north of Ireland was 17.97 pence per litre in April 2009. These are the most recent comparable figures available and are net of transport charges.

### PESCA Scheme

**Mr Shannon** asked the Minister of Agriculture and Rural Development what schemes and monies will replace the former PESCA scheme. (AQW 8716/09)

**The Minister of Agriculture and Rural Development:** Between 1994 and 1999, the European PESCA Initiative provided local fishing dependent communities with £2.0m support for fishing, infrastructure and training projects. From 2000 to 2006, the Programme for Building Sustainable Prosperity, through Fisheries

and Rural Development resources, provided similar support to fishing areas, with an additional £6m committed through the Integrated Development Fund.

Presently, the €36.2m European Fisheries Fund, which will run to 2015, will offer fishing communities similar support to that previously available through PESCA, FIFG and the Integrated Development Fund.

### **Poultry Litter**

**Mr Burns** asked the Minister of Agriculture and Rural Development to detail (i) how much poultry litter has been generated in the past twelve months; (ii) how this figure was calculated; (iii) how much of the poultry litter is used in mushroom composting; and (iv) how the remainder is used. (AQW 8842/09)

#### **The Minister of Agriculture and Rural Development:**

- (i) Approximately 200,000 tonnes of poultry litter was generated in 2008 in the north of Ireland.
- (ii) This estimate has been calculated from data on poultry production published in the DARD Statistical Review of NI Agriculture 2008 and research data on average quantities of manure generated on local poultry farms.
- (iii) Approximately 20% of poultry litter is currently used for the production of mushroom compost.
- (iv) The remainder is predominantly used as an organic fertiliser on arable crops and grassland. Approximately 3-8% is currently exported to Scotland for use in power generation and this depends on capacity being available at the power plant.

### **Nitrates and Phosphates Legislation**

**Mr T Clarke** asked the Minister of Agriculture and Rural Development (i) for an update on the nitrates and phosphates legislation; and (ii) to outline how poultry farmers can comply with this legislation. (AQW 8852/09)

#### **The Minister of Agriculture and Rural Development:**

- (i) The Nitrates Action Programme Regulations (NI) 2006 (Nitrates Regulations) and the Phosphorus (Use in Agriculture) Regulations (NI) 2006 (Phosphorus Regulations) were introduced on 1 January 2007. In accordance with the Nitrates Directive the Nitrates Regulations are subject to review by the end of 2010. This scientific review is currently being initiated by my Department and the Department of the Environment. In addition, my Department and the Agri-Food and Biosciences Institute are conducting a review of current measures to address surplus phosphorus in the agricultural sector.
- (ii) The Nitrates Regulations place restrictions on when, where and how much poultry manure can be spread on land and how it must be stored. Most poultry farms are intensive livestock enterprises and therefore need to export poultry manure to comply with the livestock manure limit of 170kg/nitrogen/hectare/year. Poultry manure can be exported to other farms for use as an organic fertiliser on arable crops and grassland or to processing facilities such as, for the manufacture of mushroom compost.

When poultry litter is used as a fertiliser it must be applied to land in accordance with the requirements of the Nitrates Regulations which include the closed spreading period (15 October – 31 January), suitable soil and weather conditions, non-spreading zones around waterways and crop requirements.

The current Nitrates Regulations allowed the storage of poultry litter in field heaps and middens until the end of 2008. Due to delays in the development of an off-farm solution for the disposal of poultry litter both Departments are currently working on amendments to the Nitrates Regulations which will extend this temporary storage measure until the end of 2010.

To comply with the Phosphorus Regulations chemical fertilisers containing phosphorus must only be applied to land where a crop requirement for phosphorus is determined by a soil test.

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## DEPARTMENT OF CULTURE, ARTS AND LEISURE

### Carter Digital Britain Report

**Mr Ford** asked the Minister of Culture, Arts and Leisure for his assessment of Northern Ireland's exclusion from the news pilot project in the Carter "Digital Britain" report; and if he has made any representations to the Department of Culture, Media and Sport in relation to the report. (AQW 8612/09)

**The Minister of Culture, Arts and Leisure (Mr Campbell):** Following publication of the interim Digital Britain Report on 29 January 2009, my predecessor Gregory Campbell wrote to Lord Carter, the Minister for Communications, Technology and Broadcasting, asking him to engage directly with representatives of the broadcasting community in Northern Ireland. Consequently, Lord Carter organised a round table discussion on 23 April 2009, attended by Gregory Campbell and a range of stakeholders in the communications and media sectors here. The event was an opportunity to discuss the challenges and opportunities for Northern Ireland under the transition to the digital future and ensure that Northern Ireland's interests were considered in the formulation of the Report.

I am aware that the final Digital Britain report includes a proposal for a pilot programme for news provision for the regions and that Northern Ireland has not been included in the proposed pilot programme.

The interim Digital Britain Report made no reference to the proposed pilot programme for news provision.

DCMS has advised that a decision was taken not to include Northern Ireland mainly because currently and for the foreseeable future the provision of regional news in Northern Ireland is considered to be on a more secure footing than that in other regions of the UK – notably Scotland and Wales.

The Digital Britain Report is complex and wide ranging. Officials are currently giving careful consideration as to how the proposals may impact on Northern Ireland. I will respond to DCMS in the near future outlining the Department's perspective on the Report.

### Ulster-Scots Folk Orchestra

**Mr Butler** asked the Minister of Culture, Arts and Leisure for his assessment of the financial difficulties faced by the Ulster-Scots Folk Orchestra. (AQW 8640/09)

**The Minister of Culture, Arts and Leisure:** The Ulster-Scots Folk Orchestra has received funding from my Department through both the Arts Council of Northern Ireland and the Ulster-Scots Agency. The Arts Council awarded £51k to the Ulster-Scots Folk Orchestra between 2003 and 2006, and awarded a further £10k in 2008/09 towards a Pilot Youth Project. The Arts Council has approved in principle a further award of £25k in 2009/10 pending the outcome of this pilot. The Ulster-Scots Agency has provided £45.8k from 2007 to date, including £6.3k in 2007 for a Youth Project related to the Orchestra.

I am aware that the Orchestra has recently been facing some financial pressures as a result of a delay in receipt of funding from the Ulster-Scots Agency. Payments to the Orchestra from the Ulster-Scots Agency were delayed while clarification was sought in relation to supporting documentation. The Agency has confirmed that it has now processed a substantial outstanding payment in relation to work undertaken by the Orchestra, and is awaiting further paperwork to enable the release of a further payment.

I appreciate the valuable work done by the Ulster-Scots Folk Orchestra in terms of promoting Ulster-Scots cultural traditions. The Arts Council and the Ulster-Scots Agency are working closely with the Orchestra in relation to future funding opportunities.

### Free Swimming for Under-Sixteen-Year-Olds

**Mr O'Dowd** asked the Minister of Culture, Arts and Leisure if his Department plans to give financial support to local Councils to assist with the provision of free swimming for under-sixteen-year-olds in Council leisure facilities. (AQW 8758/09)

**The Minister of Culture, Arts and Leisure:** District councils are responsible for leisure and recreational provision within their own areas. Any decision to provide free swimming for under sixteen year olds therefore



rests with the relevant council. Sport Northern Ireland (SNI), which is responsible for the development of sport including the distribution of funding, has no plans to provide financial support to councils in this matter. SNI is however, aware that similar initiatives have been tried elsewhere in the UK and would be happy to explore these further in partnership with the Chief Leisure Officers Association should they deem it appropriate and relevant.

### Irish Language

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to detail the extent of consultation his Department has undertaken with the Irish-language speaking community in relation to the draft language strategy including the number and dates of consultation meetings in the past two years. (AQW 8799/09)

**The Minister of Culture, Arts and Leisure:** Representatives from my Department have met with the Irish-language speaking community on eight occasions on issues relating to the draft strategy in the last two years. This includes:

- 3 meetings with Pobal – 24 January 2008, 30 September 2008 and 4 June 2009
- 2 meetings with Sinn Féin – 20 October 2008 and 16 June 2009
- 2 meetings with Foras na Gaeilge – 24 January 2008 and 28 October 2008
- A meeting with the Irish Guild of the Church of Ireland – 19 January 2009

Former Minister Poots also met with Sinn Féin on three occasions (26 July 2007, 5 November 2007 and 18 February 2008) on Irish-language issues.

Formal consultation on the Strategy for Indigenous or Regional Minority Languages will form part of the policy development process.

### Irish Language

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to detail the key recommendations proposed by the Irish-language speaking community on the draft language strategy. (AQW 8800/09)

**The Minister of Culture, Arts and Leisure:** As the Indigenous or Regional Minority Languages Strategy has not yet been approved by the Executive no public consultation on the Strategy has taken place. However, several recommendations have been made to my Department by the Irish speaking community, including:

- Pobal and Sinn Féin recommended a separate strategy for Irish, separate funding streams for Irish and Ulster Scots and additional money for the Irish-Language Broadcast Fund.
- Foras na Gaeilge recommended an improvement in front line civil service provision in Irish, a language skills audit of NICS staff and a programme to develop training in Irish for civil servants.
- The Irish Guild of the Church of Ireland recommended the depoliticisation of the Irish language and a positive approach to public discourse on the Irish and Ulster-Scots languages in order to build maturity, understanding and tolerance in communities.

It is my intention that the strategy will create a framework which will ensure the Ulster-Scots culture, heritage and language and Irish language are given equal respect and recognition.

### Irish Language

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to detail how his Department's Irish-language strategy will fulfil the requirements outlined by the vice-Chairperson of COMEX, "to be coherent, long-term, proactive, containing a variety of measures and also having a monitoring system by which one can assess the measures used and results achieved". (AQW 8801/09)

**The Minister of Culture, Arts and Leisure:** It is my intention that the Strategy for Indigenous or Regional Minority Languages will enhance and protect the development of the Irish language and Ulster-Scots culture, heritage and language in line with the St Andrews Agreement.

Once agreed, the Committee of Experts will have the opportunity to comment on the Strategy through the periodical reporting cycle of the European Charter for Regional or Minority Languages.

## Draft Language Strategy

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to detail how the draft Language Strategy will deal with the Irish language to reflect its own circumstances and requirements, as advised by COMEX. (AQW 8802/09)

**The Minister of Culture, Arts and Leisure:** The Strategy will be underpinned by the European Charter for Regional or Minority Languages, which takes into account the relative position of each individual language.

It is my intention that the strategy will create a framework which will ensure the Ulster-Scots culture, heritage and language and Irish language are given equal respect and recognition.

Good relations cannot be built on uneven foundations and the promotion of one language must be based on an equitable approach to the other.

## Irish Language

**Mr McElduff** asked the Minister of Culture, Arts and Leisure to outline what discussions he has had with other members of the Executive to ensure joined-up thinking on promoting the Irish language. (AQW 8803/09)

**The Minister of Culture, Arts and Leisure:** I have not yet had the opportunity to liaise with Executive colleagues on language issues.

I would intend to engage with the Executive on the near future on the way forward for the Indigenous or Regional Minority Language Strategy which will address the position for both Ulster Scots and Irish.

## Royal Irish Regiment Museum Group

**Mr Shannon** asked the Minister of Culture, Arts and Leisure to outline any discussions the Royal Irish Regiment Museum Group has had with the Northern Ireland Museums Council about finding a suitable location for building a new museum. (AQW 8814/09)

**The Minister of Culture, Arts and Leisure:** The Northern Ireland Museums Council has not had any formal discussions with the Royal Irish Regiment Museum Group concerning the siting of a new Regimental Museum.

## Fisheries

**Mr Shannon** asked the Minister of Culture, Arts and Leisure (i) what assistance is available to fisheries that are leased or rented from his Department; and (ii) how many fisheries in Strangford qualify for this assistance. (AQW 8849/09)

**The Minister of Culture, Arts and Leisure:** DCAL does not own any lakes or fisheries.

The Public Angling Estate consists of 64 fisheries where the fishing rights are exercised or leased by DCAL to provide affordable angling to the public.

The Department have entered into management agreements with various angling clubs to manage a small number of these angling waters on the Department's behalf.

The Department encourages these angling clubs to open up their waters to DCAL permit holders by stocking these waters where clubs provide evidence of day tickets issued to DCAL permit holders at the end of the angling season. This clause is stipulated on many of the management agreements.

The Department's technical staff provide clubs with free advice and guidance on management and development of waters through meetings, site visits and talks at club meetings and AGM's.

The Lough Cowey fishery is the only Public Angling water in the Strangford area. Stocking is stipulated in their management agreement and the angling club receives technical advice and guidance.

The Department would also consider additional stocking for charity, juvenile and disabled events organised by the angling club.

### Fisheries

**Mr Shannon** asked the Minister of Culture, Arts and Leisure to detail the number of lakes and fisheries owned by his Department that are leased or rented out. (AQW 8860/09)

**The Minister of Culture, Arts and Leisure:** DCAL does not own any lakes or fisheries.

Rather, the Department maintains a Public Angling Estate by leasing sporting and fishing rights from landowners and exercising fishing rights in Government / public ownership. There are some 64 game and coarse fisheries developed for public use

The Department have entered into management agreements with various angling clubs to manage angling waters on their behalf.

The Department have two waters where the fishing rights are subleased, Castlehume Lough, Co Fermanagh and Lough Na Cranagh and Lough Doo, Ballycastle Co Antrim.

### Fisheries

**Mr Shannon** asked the Minister of Culture, Arts and Leisure to detail the cost, per fishery, for returns of fish caught in fisheries owned by his Department that are leased out or rented. (AQW 8861/09)

**The Minister of Culture, Arts and Leisure:** The Department does not hold this information.

### Fisheries

**Mr Shannon** asked the Minister of Culture, Arts and Leisure to detail the returns of fish caught in Department owned fisheries that are rented or leased out. (AQW 8862/09)

**The Minister of Culture, Arts and Leisure:** The Department does not hold this information.

### Royal Irish Regiment Museum Group

**Mr Shannon** asked the Minister of Culture, Arts and Leisure what assistance has his Department given to the Royal Irish Regiment Museum Group to locate to Cultra, Holywood. (AQW 8863/09)

**The Minister of Culture, Arts and Leisure:** To assist the possible relocation to Cultra a meeting was held on 3 June 2008 between one of my predecessors and the various interested parties which included representatives from the MOD, National Museums Northern Ireland and officials from DCAL. The Minister indicated that in principle he was supportive of the proposals but that the issue required further consideration. I can confirm that I will be giving the issue further consideration with the various interested parties.

### Draft Language Strategy

**Mr McElduff** asked the Minister of Culture, Arts and Leisure (i) to detail the discussions he, or his predecessor, has had with the Minister for Community, Rural and Gaeltacht Affairs on the draft Language Strategy; and (ii) if his Department will ensure that the strategy for promoting the Irish language will complement the Irish Government's 2028 strategy. (AQW 8868/09)

**The Minister of Culture, Arts and Leisure:** There have been no discussions between Minister O'Cuiv and myself, or my predecessor, in relation to the draft Languages Strategy.

The Indigenous or Regional Minority Languages Strategy will enhance and protect the development of Ulster-Scots culture, heritage and language and the Irish language in line with the St Andrews Agreement.

The Irish Government's 2028 Strategy has not yet been finalised or published and will not apply to Northern Ireland.

### Press and Public Relations Staff

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure to detail the number of staff employed in his press and public relations department and their overall cost in each year from 2003/04. (AQW 8886/09)

**The Minister of Culture, Arts and Leisure:**

Year	Staff Numbers By Grade		Cost <sup>1</sup>
	Administrative	Information Officer (IO)	
2003/04	2	1	£98,170
2004/05	2	1	£112,929.20
2005/06	1	2	£110,966.16
2006/07	1	3	£146,490
2007/08	2	3	£154,920
2008/09	2	3	£158,540

1. Total costs only are shown due to the small number of staff employed in this area; to show administrative and IO grades separately could identify individual members of staff.

### DEPARTMENT OF EDUCATION

#### Braidside Integrated School

**Mr McKay** asked the Minister of Education for an update on when the Braidside Integrated School will be provided with a new building to replace the existing mobile classrooms. (AQW 7109/09)

**The Minister of Education (Ms Ruane):** Cuireadh Staidéar Indéantachta Nuashonraithe le haghaidh scéim móroibreacha chaipitil do Braidside Integrated Primary School isteach i mí na Samhna 2008 agus tá sé faoi bhreithniú ag an Roinn faoi láthair.

An updated Feasibility Study for a major capital works scheme for Braidside Integrated Primary School was submitted in November 2008 and is currently being considered by the Department. Following approval of a Feasibility Study, an Economic Appraisal to determine the preferred option will be completed. Schemes with approved Economic Appraisals are eligible for consideration for the capital programme. However, at this stage it is not possible to say when funding would be available for a scheme.

#### Secondary Schools

**Mr Dallat** asked the Minister of Education (i) to list the secondary schools which are over-subscribed for the academic year 2009/10 and; (ii) what steps she is taking to ensure pupils are accommodated in these schools. (AQW 7493/09)

**The Minister of Education:** I am interpreting the term secondary schools to mean non-grammar schools. The processes for transfer from primary to post-primary school will not be completed until 29 May 2009 therefore final details of non-grammar schools which are oversubscribed will not be known until then. The Department does, however, have details of non-grammar schools that were oversubscribed at first preference and these are listed below.

- Ashfield Girls' High School
- Ashfield Boys' High School
- La Salle Boys' School
- Hazelwood College
- Oakgrove College



- Drumragh College
- Ballyclare Secondary School
- St Colm's High School
- St Paul's College, Kilrea
- St Pius X High School
- St Patrick's College, Maghera
- Slemish College, Ballymena
- Ulidia Integrated College
- Nendrum College, Comber
- Lagan College
- Shimna Integrated College
- Strangford Integrated College
- Newtownhamilton High School
- Markethill High School
- Fivemiletown High School
- St Paul's High School, Bessbrook
- St Catherine's College
- New-Bridge Integrated College, Loughbrickland

While the policy of open enrolment enables parents to state their preferences for the schools they wish their children to attend, admission to individual schools are necessarily limited by their approved admissions and enrolment numbers. If oversubscribed with applications the Board of Governors is required to apply its published admissions criteria to decide which pupils to admit. Responsibility for drawing up and applying admissions criteria rests entirely with the Board of Governors of each school and reflects the Governors' priorities for admission to their school.

Bíonn an Roinn i gcónaí toilteanach breithniú a dhéanamh ar iarratais ó scoileanna le hathruithe sealadacha a lorg ar a líonta iontrála agus rollaithe. Ach nuair a bhíonn iarratais dá leithéid á mbreithniú, caithfidh an Roinn a thabhairt san áireamh cé acu an bhfuil fáil ar áiteanna malairte scoile d'fhonn eastát inmharthana scoile a chothabháil.

The Department is always willing to consider requests from schools for temporary variations to their admissions and enrolment numbers.

### Middletown Centre for Autism

**Mr Shannon** asked the Minister of Education what discussions she has held with contacts in the Republic of Ireland to ensure that funding for the Autism Centre at Middletown continues. (AQW 7949/09)

**The Minister of Education:** Scríobh mé chuig an Aire Oideachais agus Eolaíochta, Batt O'Keefe, dhá uair le déanaí leis an díoma atá orm mar gheall ar an socrú a rinne sé a chur in iúl dó. D'iarr mé air athbhreithniú a dhéanamh ar an socrú maidir le cistiú d'Ionad Choillidh Channanáin le haghaidh Uathachais, socrú a chuirfidh moill ar an leathnú atá pleanáilte don Ionad. Chas an tUasal O'Keefe agus mé féin ar a chéile ag cruinniú na hEarnála Oideachais mar chuid den Chomhairle Aireachta Thuaidh Theas ar 20 Bealtaine 2009.

I have written to the Minister for Education and Science, Batt O'Keefe twice in recent weeks expressing my disappointment in his decision. I have requested a review of his decision regarding funding for the Middletown Centre for Autism, which he has suggested will cause a pause in the planned expansion of the Centre. Mr O'Keefe and I met at the Education Sectoral meeting of the North South Ministerial Council on 20 May 2009 where I raised this matter with him directly.

The Minister has assured me that the Department for Education and Science (DES) is anxious to develop the Centre and recognises that a lot has already been achieved in collaboration with Department of Education to deliver the training programmes and commission research and he is keen to ensure the continuation of the ongoing training and research programmes.

He has confirmed that DES is not withdrawing funding from the Centre and that it will continue to be enabled to provide current services and indeed to develop some additional services.

The vision of both Departments for the Centre has been that, as a result of the in-depth educational assessment services to be offered, local service providers would be able to better meet the needs of our most challenged autistic children.

I have advised Minister O’Keeffe that I am unable to accept the proposed cuts and that in view of the fact that a commitment was given jointly by both education departments to establish the Centre that any decision to change those plans should also be taken jointly. My officials are meeting with their counterparts in DES and I will continue to work towards the full development of the Middletown Centre for Autism.

### **Carrick, Warrenpoint: Proposed Primary School**

**Mr P J Bradley** asked the Minister of Education to confirm that all the required information and paperwork from the proposers in relation to the proposal to build a new primary school at Carrick, Warrenpoint is now in her possession; and when the tendering process will commence. (AQW 8192/09)

**The Minister of Education:** Ní bhfuarthas go fóill an t-eolas breise a iarradh ó Chomhairleoirí na scoile a ligfeadh don Roinn athbhreithniú iomlán a dhéanamh ar iarratas costais an réamhthairisceana. Scríobh mo Roinn arís chuig Iontaobhaithe na scoile ar 28 Bealtaine 2009 ag iarraidh orthu an t-eolas seo a chur isteach chomh luath agus ab fhéidir.

The additional information requested from the school’s Consultants to enable the Department to fully consider the Pre-tender cost submission has not yet been received. My Department wrote again to the school Trustees on 28 May 2009 requesting that this information be submitted as soon as possible.

The acquisition/vesting of the additional land has also been further delayed following a recent request from the Parish Trustees, the current owners, for the land to be re-valued. My Department has agreed to this request and the revised valuation is currently awaited from Land and Property Services. It is anticipated that this will be received in the near future to enable the vesting process to be completed.

In light of the above it is not possible to accurately advise when the tendering process for Carrick P.S. will commence.

### **Transfer 2010**

**Mr Kennedy** asked the Minister of Education to confirm the circumstances in which (i) maintained grammar schools; (ii) controlled grammar schools; and (iii) voluntary grammar schools can avail of an educational psychometrist to conduct psychological tests under transfer 2010 arrangements. (AQW 8418/09)

**The Minister of Education:** Ní gá teist a chur ar pháiste ar bith atá 10 nó 11 bhliain d’aois leis an phróiseas aistrithe chuig an iar-bhunscoil a shocrú má chloíonn scoileanna le Treoir na Roinne ar Aistriú 2010, a cuireadh i gcrích ar 25 Meitheamh 2009.

There is no need for children aged 10 or 11 to be tested in order to inform the process of transfer to a post-primary school if schools follow the Department’s transfer 2010 Guidance, finalised on 25 June 2009. For schools contemplating the use of entrance tests in contravention of the Guidance, paragraph 34 explains that such schools will be required to make independent arrangements for assessing children who, under the outgoing transfer test arrangements, would have been able to avail of an educational psychologist assessment under the special provisions procedure to inform their application to a grammar school. These independent arrangements must be capable of supporting fair and robust admissions decisions.

Educational psychologist assessments will however still play a part in the transfer of children with statements of special educational need. We must ensure scarce educational psychologist resources are utilised in the most appropriate way.

## Pupils with Disabilities

**Mrs I Robinson** asked the Minister of Education to detail (a) the obligations her Department is under when facilitating pupils with disabilities; (b) the relevant legislation under which this obligation is framed; and (c) to confirm that any measures which must be taken at school in order to facilitate pupils with disabilities, are funded by her Department. (AQW 8473/09)

### The Minister of Education:

- (a) Mar is amhlaidh le gach Roinn eile, bíonn dualgas ar an Roinn Oideachais a chinntiú go mbíonn daltaí atá faoi mhíchumas ábalta rochtain a fháil ar na seirbhísí a sholáthraíonn sí. Is é an fócas atá againn ná a chinntiú go soláthraítear oideachas d'ardchaighdeán a chuidíonn le gach páiste lena gcumas iomlán a bhaint amach.

As with all Departments, the Department of Education has a responsibility to ensure that pupils with disabilities can access the services it oversees. Our focus is on ensuring a high quality education that helps every child reach their full potential.

The Department in delivering its statutory responsibilities makes sure that it complies with statutory requirements to enhance and safeguard the needs of children and young people with disabilities and/or Special Educational Needs (SEN).

The Special Educational Needs and Disability Order (SENDO), which came into effect on 1 September 2005, makes it unlawful for schools to discriminate against a child on grounds of a disability and requires them to make reasonable adjustments. Every aspect of school life is covered by this including after schools clubs and activities provided by schools to their own pupils.

SENDO strengthens the rights of SEN pupils to be educated in mainstream schools. SENDO also makes it unlawful for schools to treat pupils with a disability less favourably than other pupils in all aspects of school life and places a duty on schools to work towards making school life more accessible to pupils with a disability in terms of accessibility to premises, the curriculum and written information.

The legislation requires Education and Library Boards (ELB's) to make arrangements for services to provide parents of children with SEN with advice and information, and a means of resolving disputes with schools and Boards.

There is also a requirement on the Education and Library Boards to comply, within prescribed periods, with orders of the Special Educational Needs Tribunal and makes other changes to the Tribunal appeals process and the statutory assessment process.

Schools are required to inform parents that they are making Special Educational provision for their child and allow parents a right of appeal where a Board refuses a school's request for a statutory assessment of a pupil's SEN.

The Department's Review of Special Educational Needs and Inclusion is awaiting the agreement of the Executive, prior to a full consultation.

The collection and recording of standard information about children with special educational needs is an essential factor in special educational planning and policy development, identification of current and future funding needs and for monitoring trends.

Individual schools and other education providers are subject to inspection by the Education and Training Inspectorate on a regular cycle. Inspections focus on a broad range of quality indicators including the school's capacity to support children with learning difficulties and disabilities.

- (b) Under Articles 8 and 13 of the Education (NI) Order 1996, as amended by the Special Educational Needs and Disability (NI) Order 2005 (SENDO), the statutory responsibility for securing provision for SEN pupils rests with School Boards of Governors and ELBs.

There is a substantial range of duties, which requires schools and ELBs to identify children with SEN and to make appropriate provision for them.

A Dispute Avoidance and Resolution Service (DARS) and an Advice and Information Service were introduced in September 2005 to provide improved supports for SEN children and their parents in their dealings with schools and ELBs. The remit of the SEN Tribunal was expanded to hear disability discrimination claims.

A statutory supplement to DE's existing Code of Practice on the Identification and Assessment of SEN was published in 2005 to provide guidance on the new SENDO framework.

A new Code of Practice for Schools on the disability discrimination aspects of SENDO was produced at DE's request on the disability discrimination aspects of SENDO.

A SENDO awareness training programme was also developed and delivered to all schools and relevant ELB staff in 2005/06.

The following legislation impacts on the delivery of educational provision to children and young people with a disability and/or a Special Educational Need in this jurisdiction:-

#### **Primary Legislation**

- Education (NI) Order 1987
- Education Reform (NI) Order 1989
- Education and Libraries (NI) 1993
- Disability Discrimination Act 1995
- Education (NI) Order 1996
- Education (NI) Order 1997
- Northern Ireland Act 1998
- Education (NI) Order 1998
- Education and Libraries (NI) Order 2003
- The Special Educational Needs and Disability (NI) Order 2005
- Education (NI) Order 2006
- Disability Discrimination (NI) Order 2006

#### **Subordinate Legislation – Education**

- Statutory Rule 1998 No. 217  
Education (Special Educational Needs) (Amendment) Regulations (NI) 1998
- Statutory Rule 1998 No. 205  
Education (Special Educational Needs Code of Practice) (Appointed Day) (NI) Order 1998
- Statutory Rule 1997 No. 327  
Education (Special Educational Needs) Regulations (NI) 1997
- Statutory Rule 1997 No. 315  
Special Educational Needs Tribunal Regulations (NI) 1997
- Statutory Rule 2005 No 384  
The Education (Special Educational Needs) Regulations (NI) 2005
- Statutory Rule 2005 No 339  
Special Educational Needs and Disability Tribunal Regulations (NI) 2005
- Statutory Rule 2008 No 79  
The Special Educational Needs and Disability (General Qualifications Bodies) (Relevant Qualifications, Reasonable Steps and Physical Features) Regulations (NI) 2008
- Statutory Rule 2008 No 177  
The Special Educational Needs and Disability (2005 Order) (Amendment) (General Qualifications Bodies) (Alteration of Premises and Enforcement) Regulations (NI) 2008
- Statutory Rule 2009 No 20  
The Special Educational Needs and Disability (General Qualifications Bodies) (Relevant Qualifications, Reasonable Steps and Physical Features) (Amendment) Regulations (NI) 2009

In addition, the Department's Building Branch refers to the Building Regulations (NI) 2000 in planning and providing for adjustments to the built environment in schools in policies and Building handbooks.

All Building Branch policies, and the adjustments required by them, reflect the statutory position and technical requirements to account for the full range of needs of pupils, staff and public accessing the school estate.



In addition, under section 49A of the Disability Discrimination Act 1995 (as amended by Article 5 of the Disability Discrimination (NI) Order 2006) the Department, in common with all public authorities, must have due regard to the need to:

- promote positive attitudes towards disabled people; and
  - encourage participation by disabled people in public life.
- (c) Grant-aid funding in relation to reasonable adjustment for special educational needs and disabilities remains consistent with existing Department of Education grant funding guidelines and arrangements.

Schools and school authorities are responsible for ensuring that reasonable adjustments to information and curriculum provision are made as necessary to meet pupils' needs.

Capital costs for improving physical accessibility in controlled schools are financed by Education and Library Boards.

Schools in other sectors are grant-aided directly by the Department of Education, as long as the Department's prior approval has been obtained.

Any school not eligible for capital grant-aid by the Department of Education must self-finance their capital works to ensure that they are compliant with statutory duties.

Independent schools must finance all aspects of accessibility from their own resources to ensure that their own arrangements are in line with all statutory requirements.

### Disabilities

**Mrs I Robinson** asked the Minister of Education how many staff are employed in (i) her Department; and (ii) each Education and Library Board to look after the welfare of (a) pupils with disabilities; and (b) teaching staff with disabilities. (AQW 8482/09)

**The Minister of Education:** Ní fhostaíonn an Roinn Oideachais foirne go sonrach le haire a thabhairt ar leas na ndaltaí nó leas na bhfoirne múinteoireachta a bhfuil mhíchumas orthu.

The Department of Education does not employ staff to specifically look after the welfare of pupils or teaching staff with disabilities.

I have been advised by the Chief Executives of the Education and Library Boards (ELBs) that the information requested in respect of ELB staff is not available. Numerous staff such as Education Psychologists, bus drivers, bus escorts, supervisory assistants, general assistants, classroom assistants etc. provide support to all pupils with special educational needs including those with a disability. It is not, therefore, possible to provide a figure specifically in respect of pupils with a disability.

With regard to teaching staff with disabilities there are again a number of ELB staff who are responsible for dealing with the health and welfare of teaching staff including those with a disability.

### Saintfield High School

**Mrs I Robinson** asked the Minister of Education what measures she will take to ensure the provision of a new sports hall at Saintfield High School. (AQW 8676/09)

**The Minister of Education:** Breathnófar an tionscadal seo, mar aon le tionscadail eile mar chuid den chéad fhógairt eile de New Starts. Níl aon dáta socraithe faoi láthair d'fhógairt dá leithéid.

This project will be considered, along with others for inclusion in the next New Starts announcement. At present there is no date set for such an announcement.

### Strabane: School Buildings

**Mr Doherty** asked the Minister of Education if her Department has any statutory role or responsibility for the disposal of buildings and associated grounds at (i) Our Lady of Mercy Secondary School; and (ii) Mount Carmel Convent Grammar School, in Strabane. (AQW 8733/09)

**The Minister of Education:** When school premises cease to be used for educational purposes, my Department will recover grants paid out of the proceeds from the disposal of the former premises, in accordance with Regulations made under Article 116 of the Education and Libraries (NI) Order 1986.

Is iad na hIontaobhaithe, mar úinéirí na n-iarscoileanna, a bhíonn freagrach as bearta diúscartha.

Responsibility for disposal action rests with the Trustees as owners of the former schools.

### Nursery Places

**Mrs Long** asked the Minister of Education on what basis the Department plans the distribution of nursery places across Education and Library Board areas. (AQW 8740/09)

**The Minister of Education:** Is í aidhm an Chláir um Fhorleathnú Oideachais Réamhscoile ná oideachas réamschoile maoinithe d'ardchaighdeán a sholáthar, sa bhliain roimh oideachas éigeantach, do gach páiste a bhfuil an mhian sin ag a t(h)uismitheoirí.

The aim of the Pre-School Education Expansion Programme is to provide one year of high quality funded pre-school education, in the year before compulsory education, for every child whose parents wish it.

The Programme has been implemented by a partnership approach with funded preschool provision available both in the statutory nursery sector and in funded places in voluntary and private preschool settings.

In the school year 2008/09, there were 20,683 children in funded preschool education: 14,080 in nursery schools or nursery classes in primary schools; and 6,603 in funded places in voluntary and private preschool education centres. In addition, there were 606 children in reception classes/groups.

The capacity of each statutory setting does not generally change from year to year. The allocation of the voluntary/private places to each Education and Library Board is based on the previous year's allocation. The allocation of places by each Board's Pre-School Education Advisory Group is monitored by the Department and adjustments made between Boards, in year, where this proves necessary.

### Nursery Places

**Mrs Long** asked the Minister of Education whether she liaises with health visitors in planning the distribution of nursery places. (AQW 8741/09)

**The Minister of Education:** Níl aon chomhairliúchán díreach le banaltraí cheantair sna socruithe iontrála bliaintúla chuig suíomhanna réamhscoile nuair atá dáileadh áiteanna naiscoile á phleanáil.

There is no direct consultation with health visitors in planning the distribution of nursery places in the annual admissions arrangements to preschool settings.

However, the views of the relevant Pre-School Education Advisory Group (PEAG) are sought and the membership of the PEAG includes representation from the Health and Social Care Trusts.

I am aware that those social workers with responsibility for the registration and inspection of preschool providers in the voluntary and private sector, may liaise with health visitors during this process, responsibility for which rests with the Health and Social Care Trusts and the Department of Health, Social Services and Public Safety. As you may be aware my Department funds preschool places in a number of these voluntary and private preschool settings under the Pre-school Education Expansion Programme.

### Pupils Suspended and Excluded

**Mr Hamilton** asked the Minister of Education how many pupils aged under 7 have been (i) suspended and (ii) excluded from school, for violent behaviour, broken down by (a) each of the 26 local government districts; and (b) gender. (AQW 8748/09)

**The Minister of Education:** Bailítear eolas ar dhaltáí ar fhionraí agus ar dhaltáí ar díchuireadh iad ar bhonn bliantúil óna Boird Oideachais agus Leabharlainne agus foilsítear é ar shuíomh gréasáin na Roinne i ndiaidh próisis anailíse mionshonraithe. Baineann na staisticí is deireanaí atá ag an Roinn leis an bhliain scoile 2007/08.

Information on pupil suspensions and expulsions is collected annually from the Education and Library Boards and published on the Department's website following a detailed analysis process. The most recent statistics held by the Department are for the 2007/08 school year.

I can advise that there were 23 pupils aged under seven suspended for a physical attack on a pupil, physical attack on staff or both during the 2007/08 school year. In the same year, there were no pupils aged under seven expelled from school.

Due to the small numbers involved, it would be inappropriate for me to provide a breakdown by either gender or District Council area as this would breach our disclosure policy in relation to data protection and confidentiality.

### Postgraduate Certificate in Education

**Mr McKay** asked the Minister of Education if she has any plans to increase the number of places available at the University of Ulster campus in Coleraine for students wishing to study the Postgraduate Certificate in Education (PGCE) course in primary education. (AQW 8796/09)

**The Minister of Education:** Bhí líon na n-áiteanna a d'fhaomh mé do sholáthróirí aonair oideachais thosaigh múinteoirí (ITE) don bhliain acadúil 2009/10 bunaithe ar riachtanais an chórais scoile, sa ghearrthréimhse agus san fhadthréimhse, ar chúrsaí déimeagrafacha maidir le céimeanna aonair oideachais agus ar riachtanais earnálacha áirithe.

The number of places which I approved for the individual initial teacher education (ITE) providers for the 2009/10 academic year was based on the needs of our school system, both in the short and longer term, and the demographic position in relation to the individual phases of education and the needs of specific sectors. Of key importance also was the need to give careful consideration to the recommendations set out in the Report on the Review of Teacher Education produced by the Assembly's Committee for Employment and Learning.

In light of the above factors, I have no plans at present to increase the number of primary PGCE places at the University of Ulster for the 2009/10 academic year. However, as part of the annual process of determining intakes to ITE, I will continue to monitor the position and will give careful consideration to maintaining and developing the capacity for local ITE providers to educate teachers in the future to meet the needs of our school system.

### Redistribution of Schools Funding

**Mr McCarthy** asked the Minister of Education whether funding for a school that closes is redistributed to other schools in the area. (AQW 8821/09)

**The Minister of Education:** The Common Funding Scheme which determines the funding arrangements for all grant-aided schools funded under the Local Management of Schools (LMS) arrangements makes provision that, where a school closes in mid-year as a result of an approved Development Proposal, the Funding Authority will adjust the initial budget allocation for that school pro-rata for the months that the school is planned to remain open during the relevant financial year.

Tabharfaidh an tÚdarás Cistithe leithdháileadh cistithe pro-rata ansin, ón bhuiséad tosaigh atá fágtha ón scoil atá dúnta, do bhuiséad gach scoile glactha i leith gach dalta atá ag aistriú ón scoil atá dúnta.

The Funding Authority will then provide a pro-rata funding allocation, from within the remaining initial budget of the closed school, to each of the receiving schools' budgets in respect of all pupils transferring from the closed school. Any part of the closed school's pro rata share of the budget left unspent is retained within the Funding Authority's Contingency Fund.

### Primary Movement Programme

**Dr Farry** asked the Minister of Education for her assessment of the outcome and policy conclusions drawn, from the research commissioned by her Department in 2005 into the Primary Movement programme developed at Queen's University, Belfast. (AQW 8827/09)

**The Minister of Education:** To complement the costs being funded by the Council for the Curriculum, Examinations and Assessment (CCEA) towards an evaluation of the Primary Movement Programme led by the Queen's University (QUB) School of Psychology, the Department of Education (DE) also provided part funding of £28,000 in the 2001/02 financial year for the training of the cohort of teachers who participated in this Programme. This research and evaluation was carried out in the South Eastern Education and Library Board area and tracked the academic performance of children before and after completing the Primary Movement Programme.

I understand that the outcomes of the research were presented to CCEA in 2006.

While CCEA has a statutory duty to advise my Department on matters relating to the statutory curriculum, assessment and examinations, DE's policy on specific interventions, such as Primary Movement, is that it does not promote one type of intervention over another.

Agus measúnú á dhéanamh ar riachtanais páistí a bhfuil riachtanais speisialta oideachais acu, socraíonn na Boird Oideachais agus Leabharlainne leibhéal agus cineál an tsoláthair ar bhonn aonair.

In assessing the needs of children with special educational needs, the level and type of provision is determined on an individual basis by the Education and Library Boards.

### Childcare Organisations

**Mr K Robinson** asked the Minister of Education if her Department has a lead agency for liaising with, and supporting, school age childcare organisations; and, if so, does this agency utilise cross-departmental links in its work with this sector. (AQW 8831/09)

**The Minister of Education:** Ní thugann an Roinn cistiú ná tacaíocht d'eagraíochtaí cúram páistí d'aois scoile. The Department does not fund nor provide support to school age childcare organisations.

### Childcare Organisations: Funding for

**Mr K Robinson** asked the Minister of Education to detail funding provided to (i) child-care organisations; and (ii) school age child-care organisations, in each of the last five years. (AQW 8833/09)

**The Minister of Education:** The Department of Education has provided funding to the NI Childminding Association (NICMA) since the transfer of Early Years policy responsibility in November 2006. Prior to this, the organisation was funded by DHSSPS. The funding provided to NICMA in each of the last 5 years to cover central administration costs was:

2004/05	2005/06	2006/07	2007/08	2008/09
£62,456	£64,330	£66,260	£67,917	£65,000

Chomh maith leis sin, thug an Roinn Oideachais cúnamh airgeadais do staidéar taighde maidir le héileamh tuismitheoirí d'fheighlíocht páistí. Tugadh cistiú de £13,766 sa bhliain 2007/08.

In addition, DE contributed towards a research study into the parental demand for childminding. This funding amounted to £13,766 in 2007/08.

### Working Tax Credit

**Mr Irwin** asked the Minister of Education, pursuant to AQW 8409/09, given that receipt of Working Families Tax Credit is a bar to qualifying for the School Uniform Allowance; what plans she has to change the qualifying criteria to include farming families on Working Tax Credit whose income has not exceeded £16,040, due to the current economic difficulties facing the agriculture industry. (AQW 8838/09)

**The Minister of Education:** Níl aon phlean agam faoi láthair le hathrú a dhéanamh ar an chritéar cáilitheachta le haghaidh an deontas éide scoile.

I have no plans at present to change the eligibility criteria for the award of the school uniform grant.



Working Tax Credit provides additional financial support to families working more than 16 hours per week that have low incomes. Uniform grants are available only to families where the adults work for less than 16 hours per week, as they are considered to be most in need of this additional help.

However, in recognition of the difficulties which a number of families are facing at this time I announced in March that the current Clothing Allowances Scheme would be extended to cover primary schoolchildren as well as those in post-primary schools. This is the first time that such a measure has been taken here.

It is my hope that the new primary school allowance will provide some support to families right across the north of Ireland.

The allowance will be £35 and I would ask you to encourage those of your constituents who meet the eligibility criteria to apply for it.

### **Pupils with Epilepsy**

**Mr G Robinson** asked the Minister of Education, pursuant to AQW 8507/09, how many schools have requested training for teachers to deal with pupils with epilepsy, broken down by Council area, in each of the last five years. (AQW 8873/09)

**The Minister of Education:** The Chief Executives of the Education and Library Boards have advised that there are no recorded requests from teachers for training to deal with pupils with epilepsy in each of the last five years.

Tuigim áfach, gur féidir le scoileanna oiliúint dá leithéid a iarraidh go díreach ón Iontaobhas Seirbhísí Sláinte agus Sóisialta áitiúil.

I understand, however, that schools may request such training directly from their local Health and Social Services Trust.

### **School-Age Childcare Groups**

**Mr K Robinson** asked the Minister of Education what departmental support is available to school-age childcare groups. (AQW 8923/09)

**The Minister of Education:** Ní thugann an Roinn Oideachais cistiú ná tacaíocht do ghrúpaí cúram páistí d'aois scoile.

The Department of Education does not fund nor provide support to school age childcare groups.

### **Strategic Plan for Childcare**

**Mr K Robinson** asked the Minister of Education if her Department has considered the drafting of a strategic plan for childcare, covering both preschool and school-age children. (AQW 8927/09)

**The Minister of Education:** Tá grúpa oibre curtha ar bun ag an Fhochoiste Airí um Páistí agus Dhaoine Óga le páipéar ar roghanna cúram páistí a dhréachtú. Ag cruinniú na nAirí de 18ú Meitheamh 2009, socraíodh go gcuirfear na roghanna faoi bhreithmheas eacnamaíochta.

A working group has been mandated by the Ministerial Sub Committee on Children and Young People to draft a childcare options paper. At the Ministerial meeting of 18th June 2009, it was agreed that the options would be subject to economic appraisal.

### **Roma Children**

**Mr Elliott** asked the Minister of Education how many (i) Roma children are enrolled in schools; and (ii) Roma children who recently left Northern Ireland were enrolled in local primary schools. (AQW 8957/09)

**The Minister of Education:** Níl eolas daonáirimh ag mo Roinn faoi láthair ar pháistí Romacha atá rollaithe i scoileanna anseo. Beidh catagóir 'Romach' sa daonáireamh bliantúil scoile ó Dheireadh Fómhair 2009 áfach,

le léargas níos cruinne a thabhairt ar líon na bpáistí atá rollaithe sa scoil agus ar na scoileanna a bhfuil siad ag freastal orthu.

At present my Department does not have census information for Roma children who are enrolled in schools. However, from October 2009 there will be a 'Roma' category in the annual school census to provide a more accurate picture of how many children are enrolled in school and which schools they are attending.

I have been greatly saddened by the recent displays of racism in our community, in particular against Roma families who have had to face the challenge of discrimination due to being members of a historically nomadic group. I am aware that other nationalities who have settled here have also suffered various forms of discrimination, through ignorance and lack of understanding, racial prejudice and racial harassment.

Our schools are working hard to become truly diverse by creating multicultural environments with understanding and respect for all pupils. My Department has put a number of support mechanisms in place to help schools ensure that those children who are newcomers and who do not have a language in common with the teacher, including Roma children, receive a fair and equal education.

Along with the Education and Library Boards the Department has established the regional Inclusion and Diversity Service to strengthen and improve support to newcomer pupils and in April 2009 the Department published the policy 'Every School a Good School – Supporting Newcomer Pupils'. Schools with Roma children receive additional support through both the newcomer and Traveller community factors of the Common Funding Formula, a total of £1,010 per child for the 2009/10 year, in recognition of the particular challenges in improving attendance and attainment levels. Roma children will also benefit from updated eligibility criteria for free school meals, to enable schools to provide meals to pupils on humanitarian grounds, where the need exists.

Furthermore, the additional needs of Roma children will be considered as part of the work of the Taskforce on Traveller Education, which I established last year.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Steps to Work Programme

**Mr Kennedy** asked the Minister for Employment and Learning to confirm the retention percentage of each of the Steps to Work, strands, broken down by Jobs and Benefit Office areas in Co. Antrim. (AQW 8567/09)

**The Minister for Employment and Learning (Sir Reg Empey):** Steps to Work is an employment programme designed to help participants find employment at the earliest opportunity. Retention is not a feature of the programme and management information is therefore not collected. The programme is aimed at achieving employment outcomes and participants may leave before their expected completion date for a variety of reasons, including that they have taken up employment.

### Steps to Work Programme

**Mr Kennedy** asked the Minister for Employment and Learning (i) if the retention percentage statistics for the Steps to Work Programme match his Department's targets; (ii) to compare the statistics with targets submitted to his Department under the TWL Training implementation plan. (AQW 8568/09)

**The Minister for Employment and Learning:** Steps to Work is designed to assist people move into employment as soon as possible and retention is not a feature of the programme. The Department does not therefore collect management information on retention nor is there a target or performance indicator for programme retention. The Department placed no requirement on Steps to Work Lead Contractors to submit implementation plans or individual targets.

### Stranmillis College and Queens University: Proposed Merger

**Mr Wilson** asked the Minister for Employment and Learning to ensure that the staff from Stranmillis College involved in the merger with Queen's University will have their jobs protected and not be subject to the cuts being carried out by Queens University. (AQW 8647/09)

**The Minister for Employment and Learning:** I have been informed that the announced redundancies at Queen's University apply only to Queen's University staff. Under the proposals for merger, last year the Governing Bodies of both institutions agreed a set of guiding principles for the merger process. The second principle states that, "there will be full consultation with all staff and Trade Unions. Staff will transfer under TUPE with their terms and conditions protected and will remain in their current pension schemes. No compulsory redundancies will arise as a direct result of this merger." Queen's has also separately stated to me that there will be no compulsory redundancies arising from its recently approved 2009 Academic Plan.

### Portrush Catering College Buildings

**Mr McQuillan** asked the Minister for Employment and Learning (i) to outline the plans for the buildings previously used as the catering college in Portrush; and (ii) if these buildings could be used as temporary accommodation for new businesses which have not yet secured premises. (AQW 8653/09)

**The Minister for Employment and Learning:** The site and buildings of the former catering college at Portrush are owned by the University of Ulster. The university has advised me that these are now surplus to its requirements and that planning permission for residential use has been obtained. It is proposed that the site will be offered for sale at an appropriate time with all proceeds being reinvested in the University's core business.

The site has already been decommissioned, including the removal of some core services. To reduce security and health and safety risks, and associated costs, the University proposes to demolish the buildings. Any proposed use of the buildings for business purposes would require a new application to the Planning Service for change of use approval.

### Qualifications of the Working Age Population

**Mr P Ramsey** asked the Minister for Employment and Learning to outline the percentage of the working age population qualified to Level 2 and Level 3 and above compared to 2004. (AQW 8655/09)

**The Minister for Employment and Learning:** Latest Labour Force Survey (LFS) estimates for Quarter 1 2009 show that 65.7% of the working age population were qualified to National Qualification Framework (NQF) level 2 or above, while 48.6% were qualified to level 3 or above. This compares with LFS estimates for Quarter 2 2004<sup>1</sup>, which showed 62.2% of the working age population qualified to NQF level 2 or above and 45.2% qualified to level 3 or above.

<sup>1</sup> Estimates for Quarter 1 2004 are not available, so Q2 2004 was chosen as the closest comparative estimate.

### STEM Subjects

**Mr P Ramsey** asked the Minister for Employment and Learning to outline (i) progress against the PfG goal of increasing the number of students by 25%, especially those from disadvantaged communities, at graduate and postgraduate level studying STEM subjects; (ii) what specific actions are being undertaken to identify and target those groups; and (iii) how success is being measured. (AQW 8656/09)

**The Minister for Employment and Learning:**

- (i) The target date for the achievement of this goal is 2015. The numbers studying STEM subjects at graduate and postgraduate level have remained broadly consistent, in excess of 20,700, for the years 06/07 and 07/08.

The participation rate of students from the lowest socio-economic groups studying STEM subjects has also remained constant at 26%.

- (ii) The University of Ulster's Step-Up programme, which is funded by this Department, specifically targets schools in disadvantaged communities in Belfast and Londonderry. It has been very successful in supporting

pupils through the Double Award Advanced Vocational Certificate of Education in science and in progressing them to study across a broad range of STEM subjects at university. The Department is also developing a Widening Participation Strategy which will examine participation in Higher Education, by those from disadvantaged communities, across a range of areas, including STEM. In addition, my Department, and the Department of Education, are working closely to consider the report of the independent review of STEM policy in Northern Ireland.

- (iii) The Department will continue to monitor and report on enrolments, at graduate and postgraduate level, to STEM subjects on an annual basis.

### Foreign Workers

**Mr P Ramsey** asked the Minister for Employment and Learning for his assessment of the importance of foreign workers in delivering the objectives of his Department and its partner organisations. (AQW 8658/09)

**The Minister for Employment and Learning:** 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. The Department has commissioned Oxford Economics to carry out research into the Economic, Labour Market and Skills Impacts of Migrant Workers in Northern Ireland, and findings are due to be published in the autumn. There was a substantial increase in in-migration to Northern Ireland following the accession of 10 new member states to the European Union in 2004: this was accompanied in the period until early 2008 by rising employment and average wages and falling unemployment. This suggests that migrant workers have made a generally positive contribution to the economy. The research will enable us to determine this with greater certainty and also throw light on the position in terms of the recent economic downturn.

### Student Complaints

**Mr Butler** asked the Minister for Employment and Learning what steps they have taken to establish an independent complaints body to address complaints from students in higher and further education. (AQW 8722/09)

**The Minister for Employment and Learning:** This Department considered various options on the independent adjudication of student complaints in 2004. At that time the preferred option was to extend the jurisdiction of the Northern Ireland Commissioner for Complaints to include student complaints. A review of the Offices of the Assembly Ombudsman and Commissioner for Complaints in 2004 recommended that the Ombudsman could assume responsibility for additional public bodies on the principle of following public funds and it was suggested that this might include universities and further education colleges. The outcome of the review has not been carried forward and this will be raised with OFMdfM.

### Recruitment Agencies

**Dr McDonnell** asked the Minister for Employment and Learning (i) what plans he has to publish compliance rates from inspections of recruitment agencies (under the 2005 Conduct Regulations) so employers and potential employees can identify compliant and non-compliant agencies; and (ii) for his assessment of the performance of his Department's enforcement policy against agencies in breach of regulations. (AQW 8882/09)

**The Minister for Employment and Learning:** My Department is responsible for regulating NI-based employment agencies. Agencies must comply with the Employment (Miscellaneous Provisions) (NI) Order 1981 ("the 1981 Order") and the Conduct of Employment Agencies and Employment Businesses Regulations (NI) 2005 ("the Conduct Regulations"). The Conduct Regulations are designed to protect work seekers and employers using services provided by an agency and put in place minimum standards for agencies, such as agreeing terms and conditions with work-seekers and hirers and checking identification and qualifications of work-seekers.

DEL currently has two inspectors whose role is to carry out a programme of routine inspections of all NI agencies to check for compliance with the Conduct Regulations. The inspectors also investigate complaints made against agencies. Since October 2007, 130 inspections have been carried out and 66 complaints have been investigated.



In response to the first part of your question, my Department will publish its first Employment Agency Inspectors report in the coming weeks which will provide a detailed review of the work of the inspectors since powers of entry and inspection were granted in January 2006. Subsequent inspectors' reports will be annual. The figures provided will include more detailed statistics on the number of inspections carried out, complaints received and investigated and a list of the regulations which have been breached most often. These details will be as much as my Department will be permitted to provide regarding compliance rates. Specific findings following inspections cannot be made available as article 7B(10) of the 1981 Order makes it a criminal offence for officers to disclose information found in the course of their duties except in limited circumstances. Therefore, my Department cannot publish any information which identifies compliant or non-compliant agencies.

Regarding the second part of your question, I am very pleased with the performance of my Department's enforcement policy against agencies in breach of regulations. As well as carrying out a programme of routine inspections, my Department's inspectors investigate individual complaints against agencies and ensure that any infringements of the legislation are rectified. Most agencies co-operate with inspectors and rectify any infringements within two weeks. Where necessary, the inspectors carry out follow up inspections to check that infringements have been corrected.

To date, no prosecutions have been taken. However, my Department has recently successfully prohibited one actors' agency from operating for two years and we are currently in the process of bringing another prohibition case before an Industrial Tribunal. Prohibition notices are appropriate in more serious cases where an individual is deemed unsuitable to run an agency. I believe that this shows that my Department's enforcement policy against agencies in breach of regulations has been successful, providing advice and guidance to the majority of agencies who commit minor breaches, while seeking to take appropriate legal action against the few who seriously flaunt the regulations to the detriment of work-seekers, employers and compliant agencies.

I am conscious, however, that as the Department's agency enforcement role develops, it is anticipated that we will need to prosecute some seriously non-compliant agencies in the future. It is important that my Department has a wide range of powers which can be used to adequately deal with these agencies. To address this, I have recently introduced an Employment Bill in the Assembly. Some of the proposals in the Bill include making offences under employment agency legislation triable at the Magistrates' Court (as at present) or the Crown Court, thereby allowing for unlimited fines (currently the maximum fine that can be imposed is £5000) and compelling agencies or third parties such as banks to produce financial information to inspectors when necessary. If passed, these further powers will ensure that my Department will be even more effective in dealing with agencies which breach the regulations.

### **Educational Maintenance Allowance**

**Mr Durkan** asked the Minister for Employment and Learning, in respect of differential assessment of cohabiting and non-cohabiting parents for Educational Maintenance Allowance claims, if his Department (i) has taken legal advice; or (ii) intends to take such advice, including about its compliance with the statutory equality duties set down in Section 75 of the Northern Ireland Act 1998. (AQW 8896/09)

**The Minister for Employment and Learning:** EMA is a means-tested allowance which uses household income, including child and spousal maintenance, to determine a student's entitlement to EMA. Household income refers to the total income should the student's parents; be they married or cohabiting. A preliminary Equality Impact Assessment, conducted prior to the introduction of the EMA scheme in 2004, did not indicate a potential adverse impact on equality of opportunity for any of the Section 75 groups. As a result, the Department has not, and does not intend to take, legal advice in respect of this matter.

## **DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT**

### **Department of Energy and Climate Change**

**Mr Ross** asked the Minister of Enterprise, Trade and Investment what discussions her Department has held with the Department of Energy and Climate Change; and on what issues. (AQW 8618/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** During the period June 2008 to June 2009 three areas of the Department have held discussions or had involvement with the Department of Energy and Climate Change (DECC).

- i. Energy Division has had contact with DECC, in the form of meetings, telephone conversations and email exchanges on the following areas:
  - Internal Market for Energy (IME 3) Directives on electricity and gas
  - EU Regulations relating to the energy industry
  - Security of energy supply
  - Carbon Capture and Storage
  - Additional gas capacity at Twynholm
  - Moffat Exit Reform gas proposals
  - UK Energy Act 2008
  - UK regime for off-shore gas storage and LNG unloading
  - UK Renewables Obligations
  - UK Renewable Energy Strategy
  - Renewable Energy Directive
  - Marine renewables
  - Offshore wind
  - British Irish Council - Energy workstream
  - Bioenergy
  - Energy End Use Efficiency and Energy Services Directive
  - Low Carbon Building Programme
  - Low Carbon Solutions for Communities
- ii. Minerals Branch and the Geological Survey of Northern Ireland have had meetings, telephone conversations and email exchanges on the following issues:
  - Minerals & Petroleum Licensing; and
  - Carbon Capture & Storage
- iii. Invest NI has taken part in DECC's Renewable Energy Deployment Forum. This Forum comprises representatives from the UK's Regional Development Agencies along with the UK Trade and Industry and DECC. The Forum has decided that the deployment of Wind and Heat offer the greatest opportunities for the UK and will concentrate its efforts on these areas.

### Northern Ireland Tourist Board

**Mr Shannon** asked the Minister of Enterprise, Trade and Investment what help, both practical and financial has the Northern Ireland Tourist Board given to promote bus tours visiting Christian heritage sites. (AQW 8812/09)

**The Minister of Enterprise, Trade and Investment:** The Saint Patrick's Trail was launched in 2006. This 92 mile driving route identified 15 key Christian Heritage sites from Bangor and the Ards Peninsula, to Downpatrick, Newry and Armagh. NITB co-funded the design, production and installation of the 217 (no.) Brown and White tourist signs, which assists vehicle drivers in following the route of the trail.

The Northern Ireland Tourist Board is currently developing a project that will highlight and deliver "100 Great Cultural Days Out" in Northern Ireland. The itineraries will be Culture and Heritage based and will include Christian Heritage sites linked to the Saint Patrick's Trail.

The Northern Ireland Tourist Board is working with the Federation of Passenger Transport Northern Ireland Limited on this initiative. The itineraries will be communicated to the target audience of local bus tour operators by various promotional methods, culminating in a Group Workshop in January 2010. The Federation will secure and deliver the Group Organiser audience for this workshop. Bus tour operators will be provided the opportunity

to meet the local tourism trade and in partnership they will be able to develop and deliver tailored group experiences based around the rich Christian Heritage product available in Northern Ireland.

### Green New Deal Group

**Dr Farry** asked the Minister of Enterprise, Trade and Investment what consideration is being given by her Department to the recommendations of the Green New Deal Group on developing the green economy.

(AQW 8826/09)

**The Minister of Enterprise, Trade and Investment:** My Department is currently considering the recommendations from the Green New Deal Group report on developing the green economy. Given the cross cutting nature of many of the recommendations however, DETI is seeking views from all Departments represented on the Sustainable Energy Interdepartmental Working Group (SEIDWG) as well as the Economic Opportunities sub group of the SEIDWG.

Invest NI assists and facilitates companies or groups of companies to exploit and create jobs in new green markets and has done much already to make businesses more aware of new low carbon and renewable energy markets that are unfolding globally. To co-ordinate its activities in this area Invest NI is developing a Renewable Energy Strategic Action Plan. The Plan aims to position Northern Ireland as a leading region in renewable energy development. In light of this Invest NI will also be considering the recommendations presented in the Green New Deal proposal and will make a formal response.

I will reply to the Chair of the group in due course when I have fully considered the report and its implications.

### County Fermanagh Tourism

**Mr Doherty** asked the Minister of Enterprise, Trade and Investment (i) how many tourists visited County Fermanagh in 2007 and 2008; and (ii) to indicate with approximate figures, the most popular tourist attractions.

(AQW 8855/09)

**The Minister of Enterprise, Trade and Investment:**

(i) 2008 Tourism figures for County Fermanagh are currently unavailable but will be completed by August 2009.

In 2007 visitor and domestic tourists took 185,400 overnight trips in County Fermanagh, of which 72,900 were taken by out of state visitors (i.e. non Northern Ireland residents) and 112,500 were domestic holiday trips. No information is available on day trips.

(ii) In 2008 the three most popular visitor attractions in County Fermanagh on the basis of visitor figures submitted as part of NITB's Annual Visitor Attraction Survey were as follows:

- a) Belleek Pottery (171,569)
- b) Marble Arch Caves (53,280); and
- c) Enniskillen Castle Museum (40,355)

The three most popular attractions in 2007 were as follows:

- a) Belleek Pottery (141,255)
- b) Marble Arch Caves (54,072); and
- c) Florence Court House and Gardens (30,664).

### Broadband Speed

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment what is the estimated proportion of households in the (i) Fermanagh District Council; (ii) Dungannon and South Tyrone Borough Council; (iii) Omagh District Council; and (iv) Strabane District Council areas, which currently have broadband speeds of less than 2Mbps.

(AQW 8893/09)

**The Minister of Enterprise, Trade and Investment:** The detailed information requested is not available. A research report produced by Ofcom, the independent telecommunications regulator, in January 2009 ('UK Broadband Speeds 2008'), estimates that the average broadband speed experienced by consumers in Northern Ireland is 3.5 megabits per second. This report does not distinguish between household and business consumers nor is the information available at a sub regional level. It is worth noting however that the broadband speeds available to consumers depend on a range of factors and actual take up of the services is a matter of personal choice.

Within the areas mentioned above, DETI is supporting a number of trials under the Northern Ireland Broadband Fund all of which are designed to deliver speeds in excess of 2 Mbps. We await with interest the final outcomes which will indicate the level of consumer uptake of the services being made available.

### Broadband Speed

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment what is the average broadband speed for a household. (AQW 8894/09)

**The Minister of Enterprise, Trade and Investment:** My Department does not collect data on broadband speeds. However, a research report produced by Ofcom, the independent telecommunications regulator, in January 2009 ('UK Broadband Speeds 2008'), estimates that the average broadband speed experienced by consumers in Northern Ireland is 3.5 megabits per second. The report does not distinguish between household and business consumers.

### Debt-Advisory Services

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment in light of the Assembly resolution on 16 March 2009 calling for a package of measures designed to enhance existing debt-advisory services (i) what plans her Department has to deliver personal debt-advisory services from April 2011; and (ii) when any related projects and programmes will be put to tender. (AQW 8897/09)

**The Minister of Enterprise, Trade and Investment:** My Department plans to undertake an evaluation of the current and planned expansion of debt advice services which it funds, and to consult with a wide range of stakeholders both within and outside Government about future arrangements for debt advice provision, in sufficient time before the end of March 2011.

I am keen that, if there is a demonstrable need, people in debt in Northern Ireland should continue to be able to access an appropriate high quality personal debt advice service from April 2011.

Any such plans will however be subject to Executive agreement to appropriate funding continuing to be made available; and it is too early to predict the tender dates for any debt advice projects or programmes which my Department may propose to put in place.

## DEPARTMENT OF THE ENVIRONMENT

### Nutts Corner Motorsports Centre

**Mr Burns** asked the Minister of the Environment what assessment his Department has made of noise pollution at the Nutts Corner Motorsports Centre; and to detail how often officials from his Department monitor noise levels at the site. (AQW 8662/09)

**The Minister of the Environment (Mr S Wilson):** The Department does not carry out any assessment of noise at the Nutts Corner Motorsports Centre. Noise nuisance from the Centre is dealt with either by Antrim Borough Council or Lisburn City Council depending on where the noise complainant resides. The Pollution Control and Local Government (NI) Order 1978 provides the powers to Councils to investigate such incidents.



The Department does however record the number of noise complaints that all twenty six councils receive. These are published by the Department annually in the form of the Noise Complaint Statistics for Northern Ireland report.

### Renewable Energy

**Mr McKay** asked the Minister of the Environment if he is aware that the consultants who drew up the Supplementary Guidelines to PPS18 Renewable Energy have done a number of reports for groups who are opposed to wind turbines; and have written a significant number of reports which speak out against building wind turbines. (AQW 8681/09)

**The Minister of the Environment:** I was not involved in the process and I am not personally aware of the previous work carried out by the consultants. My officials are satisfied however that the most appropriate consultants were selected from amongst those who tendered. The consultants signed a declaration that they had no conflict of interest.

### Renewable Energy

**Mr McKay** asked the Minister of the Environment to outline the experience Julie Martin Associates, the group appointed to draw up Supplementary Guidelines to PPS18 Renewable Energy, had in providing this guidance. (AQW 8682/09)

**The Minister of the Environment:** I understand Julie Martin Associates clearly demonstrated an excellent range of previous relevant experience across the UK and Ireland. This experience includes, amongst other things, landscape character assessment and visual impact assessments, of wind energy developments in the landscape. The individuals in her team have, between them, many years experience in landscape and environmental planning, ecology, archaeology and digital mapping.

### Taxis Bill

**Mr Weir** asked the Minister of the Environment for an update on the implementation of the Taxis Bill. (AQW 8685/09)

**The Minister of the Environment:** When the Taxis Act was enacted it was envisaged that a programme of taxi reform would be implemented progressively over a three to five year period, as resources permitted, and that remains the intention. The first Commencement Order under the Taxis Act is expected to be made by October 2008. That will enable the PSNI and the Driver & Vehicle Agency to enforce taxi legislation on Belfast Harbour Commissioners land including major locations for taxis such as Belfast City Airport. My officials have been meeting with stakeholders to make them aware of the proposed changes and to help them ensure that they comply with the new requirements. Over the past year progress has also been made on some of the measures necessary to underpin future plans. For example, officials have been developing a specification for the taximeters that all taxis will have to be fitted with in due course. That will help taxi operators and drivers who wish to buy taximeters now or who want to plan ahead for the new regime. We have also developed a suite of relevant fixed penalty offences for inclusion in the current consultation on a fixed penalty and deposit scheme, and it is intended that these will be in place by March 2010. Preliminary discussions have been held about the review of taxi fares that is scheduled to start in 2010. Significant progress has also been made towards increasing the resources devoted to taxi enforcement, with a view to ensuring that changes to the regulatory regime can in due course be implemented effectively on the ground. Plans are also being developed for the introduction by the end of this year of an operator registration scheme, with a view to moving progressively to full operator licensing by 2013. In terms of related developments, a temporary exemption scheme for nursery transport providers has been put in place, a review has been initiated of courtesy and incidental transport, and options for licensing or exempting vehicles such as American-style stretched limousines, wedding cars, funeral cars and tuctucs (motorised rickshaws) are being considered.

### Illegal Taxis

**Mr Ross** asked the Minister of the Environment what efforts are being made to clamp down on illegal taxis throughout Northern Ireland. (AQW 8737/09)

**The Minister of the Environment:** Since April 2003 the Driver & Vehicle Agency taxi enforcement officers have worked closely with the PSNI to target illegal taxis. During that period DVA enforcement officers working in conjunction with PSNI have carried out intelligence led enforcement operations throughout the province, during these operations (both overt and covert) a total of 15,632 taxis and drivers have been checked, resulting in 1,293 drivers being reported for prosecution. To date fines of £199,384 have been imposed and 2,073 penalty points awarded, with 53 drivers being disqualified from driving. In addition 298 commercial radio sets have been seized from unlicensed vehicles.

As a result of a comprehensive spending review (CSR2) the Agency have secured additional funding to recruit additional enforcement officers, this will enable the Agency to increase the number of taxi enforcement officers from its current level of 6 to 18 over the next 2 to 3 years. An additional Taxi enforcement team will be established in the north-west within the next 6 months. The Taxis Act will enhance the regulatory framework for taxis, and give enforcement officers powers to seize unlicensed taxis. It is anticipated that during 2010 DVA enforcement officers will have the power to issue fixed penalty tickets and these additional powers will be a major deterrent to illegal operators.

The DVA will continue to target illegal taxi operators with the aim of improving road safety and ensuring fair competition within the taxi industry.

### Illegal Taxis

**Mr Ross** asked the Minister of the Environment how many prosecutions have been secured against illegal taxi operators, in each of the past three years. (AQW 8738/09)

**The Minister of the Environment:** The number of convictions and penalties imposed for each of the past 3 years are as follows:

#### 2006-2007

- Drivers convicted 72 Total fines £20,320 Penalty points awarded 201

#### 2007-2008

- Drivers convicted 108 Total Fines £24,780 Penalty points awarded 228

#### \*2008-2009

- Drivers convicted 38 Total fines £4,625 Penalty points awarded 56.

\* Due to the time taken for a prosecution to be processed through the Court system a considerable number of cases are still pending for this period.

### Illegal Taxis

**Mr Ross** asked the Minister of the Environment how many enforcement officers are operating in Belfast to clamp down on illegal taxis. (AQW 8739/09)

**The Minister of the Environment:** The Driver & Vehicle Agency currently employ 18 enforcement officers, 6 enforcement officers are dedicated to taxi (PSV) enforcement duties and are assisted on a regular basis by members of the goods vehicle enforcement team. The team carries out intelligence led enforcement operations throughout the province in conjunction with PSNI. During the period 1 April 2006 to 31 March 2009 DVA enforcement staff carried out 418 taxi enforcement operations and checked some 7,348 vehicles. Of the 418 enforcement operations 137 were carried in the Belfast area resulting in 268 drivers being reported with a view to prosecution for a range of offences including 124 vehicles with no Public Service Vehicle Licence and 135 drivers with no Public Service Vehicle insurance, 72 vehicles were issued with immediate prohibition notices for serious mechanical defects.

Plans are at an advanced stage to establish a Taxi Enforcement Team within the north-west within the next 6 months which will free up the existing team based in Belfast to work more regularly within Belfast and surrounding towns.

### Northern Ireland Environment Agency

**Mr Bresland** asked the Minister of the Environment in relation to planning application K/2005/2136/F (i) why it has taken the Northern Ireland Environment Agency over three months to respond to the Planning Service; and (ii) when the Planning Service can expect a response. (AQW 8752/09)

**The Minister of the Environment:** The Northern Ireland Environment Agency (NIEA) apologises for the delay in processing this application and any inconvenience this may have caused.

The application is for a residential development on a site which includes part of a former landfill site and as such the potential exists for serious risks to be present to both human health and environmental receptors. In undertaking its role as consultee to Planning Service, NIEA needs to evaluate the information and provide advice to Planning Service on the assessment of risks and the proposed remediation strategy to ensure the site would be / can be made suitable for its proposed residential end-use.

In this instance given the highly elevated levels of ground gas (up to 80% methane) detected, NIEA has been liaising closely with colleagues at Omagh District Council in agreeing an appropriate strategy to manage the risks on the site.

Due to the nature of the site and the risks identified, this application has now been the subject of 4 planning consultations.

It is anticipated that a response will be issued to Planning Service by 3 July 2009.

### Planning Applications

**Mr McGlone** asked the Minister of the Environment to detail the number of planning applications in each divisional planning office that have been determined under the draft planning policy statement 21 in the categories of (i) farm dwellings; (ii) replacement dwellings; and (iii) farm buildings or other conversions to a dwelling. (AQW 8770/09)

**The Minister of the Environment:** Following the publication of draft PPS 21 on 25th November 2008, my Department has determined 1145 planning applications for single dwellings in the rural area and 633 planning applications for replacement dwellings in the rural area between this date and 31st March 2009. This is broken down by Divisional Planning Office as follows:

Division	Application Type	Approval	Refusal	Total
Ballymena	Single Dwelling	171	6	177
	Replacement Dwelling	111	0	111
Belfast	Single Dwelling	2	0	2
	Replacement Dwelling	8	0	8
Craigavon	Single Dwelling	240	4	244
	Replacement Dwelling	193	0	193
Downpatrick	Single Dwelling	67	3	70
	Replacement Dwelling	93	0	93
Londonderry	Single Dwelling	167	1	168
	Replacement Dwelling	87	0	87
Omagh	Single Dwelling	474	10	484
	Replacement Dwelling	140	1	141
TOTAL	Single Dwelling	1121	24	1145
	Replacement Dwelling	632	1	633

My Department does not record the level of detail on the current system of electronic data retrieval – 20/20 – to provide accurate figures for applications determined for farm buildings or other conversions to a dwelling. The information requested can only be provided by carrying out a manual search of all our existing files and would not be available in the time specified and would incur disproportionate costs.

The next Development Management quarterly statistics are due for publication in September 2009. These figures will include applications assessed under draft PPS 21 between April 2009 and June 2009.

### Colin Valley Golf Facilities

**Mr Butler** asked the Minister of the Environment what steps he is taking to provide Colin Glen Trust with a 99-year lease as part of its plans to develop the existing Colin Valley Golf facilities. (AQW 8783/09)

**The Minister of the Environment:** My predecessor Sammy Wilson, met representatives of Colin Glen Trust on 25 June 2009 on this issue and explained the difficulties for the Department associated with a 99-year lease. He proposed instead a 25-year lease which would include an undertaking by the Department to renew on a recurring basis provided the terms of the lease had been met and the Trust wished to renew, and suggested that NIEA send a letter to the Trust confirming its willingness to enter into such a lease. This letter has since issued.

### Colin Valley Trust

**Mr Butler** asked the Minister of the Environment what steps his Department is taking to help Colin Glen Trust develop its proposals for the (i) golf academy centre; (ii) floodlit driving range; (iii) golf teaching facilities and (iv) golf course, at its centre at Black's Road, Belfast. (AQW 8784/09)

**The Minister of the Environment:** My reply to AQW 8783/09 explained that my predecessor Sammy Wilson, had proposed a 25-year lease with an undertaking by the Department to renew on a recurring basis rather than a 99-year lease. Other than issuing a letter confirming this and arranging the 25-year lease it would be inappropriate for the Department to provide further help to a commercial undertaking. The Department however recognises the valuable contribution made by the Trust to the social fabric of south west Belfast and will, as far as possible, facilitate Colin Glen Trust in continuing to provide this service.

### Litter and Dog Foul Fines

**Mr Elliott** asked the Minister of the Environment how much has been raised through fixed penalty in (i) litter fines; and (ii) fine for failing to clean up dog foul, in each Council area in the past 12 months. (AQW 8890/09)

**The Minister of the Environment:** The number of fines paid and the revenue collected to date through fixed penalty fines per Council area for litter offences and dog fouling are set out in the table below. The Litter (Northern Ireland) Order 1994, as amended, specifies the amount of the fixed penalty for litter offences as £50. The Dogs (Northern Ireland) Act 1983 specifies the amount of the fixed penalty for dog fouling as £50. This information relates to the 2008/09 year.

Council	No of litter offence fines paid	Revenue from paid litter fines	No of dog fouling fines paid	Revenue from paid dog fouling fines
Antrim BC	21	1050	0	0
Ards BC	9	450	10	500
Armagh City & DC	8	400	3	150
Ballymena BC	53	2650	3	150
Ballymoney BC	14	700	0	0
Banbridge DC	9	450	1	50
Belfast CC	864	43,200	91	4550
Carrickfergus BC	23	1150	3	150



Council	No of litter offence fines paid	Revenue from paid litter fines	No of dog fouling fines paid	Revenue from paid dog fouling fines
Castlereagh BC	39	1950	1	50
Coleraine BC	29	1450	37	1850
Cookstown DC	27	1350	1	50
Craigavon BC	427	21,350	46	2300
Derry DC	6	300	1	50
Down DC	36	1800	6	300
Dungannon & South Tyrone BC	0	0	0	0
Fermanagh DC	17	850	0	0
Larne BC	55	2750	11	550
Limavady BC	4	200	0	0
Lisburn CC	8	400	1	50
Magherafelt DC	14	700	1	50
Moyle DC	5	250	2	100
Newry & Mourne DC	43	2150	1	50
Newtownabbey BC	120	6000	21	1050
North Down BC	16	800	2	100
Omagh DC	18	900	4	200
Strabane DC	0	0	0	0

### Road Tax

**Mr Elliott** asked the Minister of the Environment how many vehicles without road tax has the Driver and Vehicle Agency detected in each of the past five years. (AQW 8892/09)

**The Minister of the Environment:** Reports of vehicles for alleged offences of road tax evasion are obtained from DVA's Automatic Number Plate Readers (ANPR) system and wheel clamping units and are augmented by reports received from the PSNI and Parking Attendants working on behalf of DRD.

The number of unlicensed vehicles detected in the past five years are:

2004/05	2005/06	2006/07	2007/08	2008/09
17,815	25,845	22,674	26,837	21,873

### PPS 21

**Mr Shannon** asked the Minister of the Environment how many applications have been lodged, per constituency, to take advantage of the changes in planning regulations under PPS 21. (AQW 8966/09)

**The Minister of the Environment:** Following publication of draft PPS 21 on 25th November 2008, my Department has received 1130 planning applications for single dwellings in the rural area and 517 planning applications for replacement dwellings in the rural area between this date and 31st March 2009. This is broken down by constituency as follows:

Constituency Area	Single Dwelling	Replacement Dwelling	Total
Belfast East	1	0	1

Constituency Area	Single Dwelling	Replacement Dwelling	Total
Belfast North	0	2	2
Belfast West	1	1	2
East Antrim	17	10	27
East Londonderry	62	27	89
Fermanagh & South Tyrone	189	57	246
Foyle	24	12	36
Lagan Valley	40	34	74
Mid Ulster	145	54	199
Newry & Armagh	120	44	164
North Antrim	129	53	182
North Down	4	5	9
South Antrim	51	31	82
South Down	133	86	219
Strangford	25	32	57
Upper Bann	33	22	55
West Tyrone	156	47	203
<b>Total</b>	<b>1130</b>	<b>517</b>	<b>1647</b>

My Department does not record the level of detail on the current system of electronic data retrieval – 20/20 to provide accurate figures for all other applications submitted as a result of the publication of draft PPS21. The systems allows to retrieve accurate data for single and replacement dwellings in the rural area however, information on other categories of development in the rural area can only be provided by carrying out a manual search of all our existing files and would not be available in the time specified and would incur disproportionate costs.

The next Development Management quarterly statistics are due for publication in September 2009. These figures will include those applications submitted to my Department between April 2009 and June 2009.

### Ulster Farm By-Products

**Mr Burns** asked the Minister of the Environment to detail any recent investigations conducted by his Department in relation to (i) air pollution; and (ii) water pollution emanating from Ulster Farm By-Products in Glenavy. (AQW 8997/09)

#### The Minister of the Environment:

- (i) The Northern Ireland Environment Agency has continued to investigate complaints of odour from the site. In general the main cause is thought to be related to the dispersion of odour from the thermal oxidiser stacks. The company proposes to install a higher stack to improve dispersion of the abated odours. Planning permission is required and an application is currently with the Planning Service.
- (ii) There have been no reported water pollution incidents.

### Taxi Act 2008

**Dr McDonnell** asked the Minister of the Environment (i) why the Taxi Act 2008 has not been implemented; (ii) the reasons for the delay in implementation; and (iii) when the DVLA will commence implementation. (AQW 9005/09)

**The Minister of the Environment:** When the Taxis Act was enacted it was envisaged that a programme of taxi reform would be implemented progressively over a three to five year period, as resources permitted, and that remains the intention. The first Commencement Order under the Taxis Act is expected to be made by October 2009. That will enable the PSNI and the Driver & Vehicle Agency to enforce taxi legislation on Belfast Harbour Commissioners land including major locations for taxis such as Belfast City Airport. My officials have been meeting with stakeholders to make them aware of the proposed changes and to help them ensure that they comply with the new requirements. Over the past year progress has also been made on some of the measures necessary to underpin future plans. For example, officials have been developing a specification for the taximeters that all taxis will have to be fitted with in due course. That will help taxi operators and drivers who wish to buy taximeters now or who want to plan ahead for the new regime. We have also developed a suite of relevant fixed penalty offences for inclusion in the current consultation on a fixed penalty and deposit scheme, and it is intended that these will be in place by March 2010. Preliminary discussions have been held about the review of taxi fares that is scheduled to start in 2010. Significant progress has also been made towards increasing the resources devoted to taxi enforcement, with a view to ensuring that changes to the regulatory regime can in due course be implemented effectively on the ground. Plans are also being developed for the introduction by the end of this year of an operator registration scheme, with a view to moving progressively to full operator licensing by 2013. In terms of related developments, a temporary exemption scheme for nursery transport providers has been put in place, a review has been initiated of courtesy and incidental transport, and options for licensing or exempting vehicles such as American-style stretched limousines, wedding cars, funeral cars and tuctucs (motorised rickshaws) are being considered.

### Driving Licences

**Mr McGlone** asked the Minister of the Environment what the targets and timescales are for processing (i) driving licence applications; and (ii) driving licence renewals. (AQW 9013/09)

**The Minister of the Environment:** The Driver & Vehicle Agency (DVA) target for driving licence applications is to dispatch 95% of applications within 10 working days of receipt of the application. This target includes applications for first licences and renewal of expired licences. Some applications, such as those involving medical enquiries which require further information or the production of specialist medical reports, may take longer to process.

The Agency website ([www.dvni.gov.uk](http://www.dvni.gov.uk)) provides information updated daily about actual processing times for applications received.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Holocaust Education Trust

**Mr Durkan** asked the Minister of Finance and Personnel to indicate (i) what monies have been received in the Northern Ireland block as a “Barnett consequential” in respect of the UK Government’s funding for the Holocaust Education Trust; (ii) where this money is in the budget; and (iii) how it will be used. (AQW 8578/09)

**The Minister of Finance and Personnel (Mr Dodds):** Since the 2007 Comprehensive Spending Review outcome was announced in October 2007, the Northern Ireland Executive has not received any Barnett consequentials in respect of the Holocaust Education Trust.

Barnett consequentials are incorporated into the overall level of funding available to the Executive rather than being allocated to specific spending areas.

### Civil Service: Career Breaks

**Mr Burns** asked the Minister of Finance and Personnel to detail (i) the number of civil servants who have taken career breaks in each of the last five years and (ii) the average duration of these career breaks. (AQW 8633/09)

**The Minister of Finance and Personnel:** The information requested is provided in the table below. The overall figures presented include NI government departments and their Executive Agencies.

Year	2004	2005	2006	2007	2008	Total
Number of Civil Servants who commenced Career Breaks	167	199	253	275	211	1105

The average duration a person spent on career breaks was 754 days.

### Main Estimates and Budget Bill

**Mr Beggs** asked the Minister of Finance and Personnel why he was absent during the Main Estimates and Budget Bill debates on the floor of the Assembly on 15 and 16 June 2009. (AQW 8652/09)

**The Minister of Finance and Personnel:** I was not the The Minister of Finance and Personnel at this time and I am not in a position to comment on my predecessor's diary arrangements.

### Peace III Funding

**Mr Shannon** asked the Minister of Finance and Personnel what assistance is available to people within unionist communities and areas who wish to apply for Peace III funding. (AQW 8668/09)

**The Minister of Finance and Personnel:** Applications to the PEACE III Programme are encouraged from all communities and geographical areas, and the Special EU Programmes Body (SEUPB), PEACE III Managing Authority, provides guidance and support to any organisation wishing to apply.

Independent research has shown both communities to be benefiting significantly from EU PEACE funding. However, there is evidence that the Protestant community is slightly under-represented among funding applicants.

SEUPB has engaged directly with Protestant communities to encourage applications. Actions here have included road shows, meetings with community and other civil society organisations, provision of information and advice, and provision of developmental support in preparation of applications. SEUPB has also taken forward needs assessments within Protestant communities and regularly engaged with elected representatives.

#### Background Note

1. Relative shares of EU PEACE funding awarded to the Protestant and Catholic communities have previously attracted political and public interest, with Protestant uptake of funding perceived to be low.
2. Independent research on the first PEACE Programme estimated the Protestant community's share in Northern Ireland at 44 per cent, with a corresponding Catholic share of 56 per cent. Similar research published in 2007 on PEACE II estimated the Protestant share at 47 per cent, with a Catholic share of 53 per cent.
3. Based on these estimates, both communities appear to be benefiting significantly from EU PEACE funding. The relatively higher Catholic share is attributed by the researchers to higher levels of deprivation in the Catholic community (i.e. an outworking of the programme's Targeting Social Need principle) and to lower application rates in the Protestant community.
4. SEUPB has consistently worked to promote the availability of PEACE funding to all communities and to encourage applications from all. SEUPB promote the PEACE III Programme throughout the eligible area, and all communities are strongly encouraged to apply. The overall aim of the PEACE III Programme is 'To reinforce progress towards a peaceful and stable society and to promote reconciliation'.
5. SEUPB is actively engaged in exploring with and advising those sections of the community who have previously felt under-represented how they can best access the Themes within PEACE III. SEUPB has taken forward a number of initiatives to engage with the Unionist community, including:
  - Phoenix Group (former members of the security forces) – needs analysis report recently completed and launched. Application to the Programme submitted and under assessment.
  - Business in the Community (BITC) / Stratagem – needs analysis for hard to reach Protestant communities and housing estates, in selected geographic areas throughout Northern Ireland under way.



- Meetings with office bearers of Grand Orange Lodge of Ireland and Co Armagh Orange districts – application in preparation for cultural and interpretation centre.
  - Meeting with Apprentice Boys of Derry – to increase awareness of EU Programmes.
  - Meeting with wide ranging representatives of different Orange institutions and affiliate organisations in West Belfast Orange Hall – to increase awareness of EU Programmes.
  - On-going meetings meeting with Rev Mervyn Gibson (Jennymount Methodist Church) – to discuss possibility of funding a cross-community centre in Tigers Bay/New lodge area.
  - Local PEACE action plans – each has the capacity to impact on protestant/unionist/loyalist areas.
  - Series of roadshows undertaken by SEUPB to engage with all communities across the eligible region.
  - Letter of Offer issued to the SKAINOS project in East Belfast under the auspices of East Belfast Mission to the value of £6,125,831.
  - Meeting with Glenn Barr to discuss possible Messines project.
6. No shares of EU PEACE funding may be set aside for either community. PEACE III funding is allocated by selection panels on the basis of selection criteria that reflect the PEACE III Programme's agreed aims and objectives. The criteria were approved by the Executive and the PEACE III Programme Monitoring Committee.
- Drafted by Steve Clements – 30 June 2009
  - Cleared by Martin Tyrrell – 30 June 2009

**Copy Distribution List:**

- Leo O'Reilly
- Richard Pengelly
- Wallace Thompson
- Bill Pauley
- Steve Clements

## Accounting Procedures

**Mr McGlone** asked the Minister of Finance and Personnel, given that the total amount paid in non-consolidated bonus payments to Senior Civil Servants for 2008/09 in each Department is not yet available, to detail the common practices for accounting procedures for all departments and the oversight mechanism to ensure that these are consistent. (AQW 8675/09)

**The Minister of Finance and Personnel:** The Financial Reporting Manual, published by HM Treasury under the oversight of the Financial Reporting Advisory Board, sets out the common accounting and disclosure requirements for the annual report and accounts of government departments, executive agencies, NDPBs, trading funds and major health bodies. This manual requires the preparation of a remuneration report in line with the requirements of the Companies Act for private sector companies. Certain of the information contained in this is subject to audit and will be referred to in the audit opinion and the audit report will also note that the other information will be read by the auditor who will consider whether it is consistent with the financial statements.

## Government Cars

**Mr Gardiner** asked the Minister of Finance and Personnel, pursuant to AQW 8234/09 (i) why the criteria referred to were selected; (ii) who decided on these criteria; and (iii) were any other suggested criteria rejected. (AQW 8706/09)

**The Minister of Finance and Personnel:** The criteria were determined to be the most appropriate in order to identify the most economically advantageous tender and meet the needs of the Department of Finance and Personnel.

The Department of Finance and Personnel decided the criteria.

No other suggested criteria were rejected.

## Government Cars

**Mr Gardiner** asked the Minister of Finance and Personnel, pursuant to AQW 8234/09, why no sustainable, green or low fuel consumption scores are among the criteria for the purchase of Ministerial cars. (AQW 8707/09)

**The Minister of Finance and Personnel:** A requirement for CO2 emissions to be no more than 175g/km was included in the specification.

## Government Cars

**Mr Gardiner** asked the Minister of Finance and Personnel (i) how the specification referred to in AQW 8234/09 was arrived at; (ii) what exactly it contained; and (iii) who decided on the specification. (AQW 8708/09)

**The Minister of Finance and Personnel:** The specification was arrived at via a process of analysis of various makes and models in order to provide a final specification that both allowed market competition and met expected user requirements.

A copy of the specification as advertised in May 2007 is included in the attached Annex.

The Department of Finance and Personnel decided the final specification.

### Annex

#### Vehicle Specification

##### Body Style

- 4 Door Saloon

##### Exterior features

- Body colour front and rear bumpers
- Body colour door mirrors and handles
- Must have full size matching alloy spare wheel

##### Engine

- 140 bhp minimum

##### Transmission

- Automatic, Manual or Hybrid/CTV

##### Safety

- Driver and front passenger airbags
- Driver and front passenger side airbags
- Anti-lock Brake System (ABS – or equivalent)
- Anti-Slip Regulation (ASR or equivalent)
- Pre-tensioning front seat belts
- Height adjustable front seat belts
- Reversing sensor
- Side impact protective padding
- Door, boot and bonnet open warning
- Fuel filler cap-off warning light

##### Security

- Vehicle Immobiliser
- Internally operated central locking
- Key in ignition warning alarm
- Deadlocks
- Boot opening isolator

**Comfort / Convenience**

- Multifunction remote control central locking for doors, and boot
- Electric front and rear windows
- Electric folding door mirrors
- Steering wheel adjustable for both reach and height
- Cruise control
- Remote boot opening

**In-car communication**

- Audio system – as a minimum, AM/FM radio with Compact Disc Player
- Satellite navigation

**Heating and ventilation**

- Air conditioning with climate control and separate driver/passenger controls

**Rear passenger foot well heating vents**

- Pollen filter and odour reducing charcoal filter or equivalent

**Interior features**

- Full black leather upholstery
- Front and rear courtesy and map reading lights
- Fully trimmed boot compartment
- Boot lights
- Carpet mats

**Interior dimensions in millimetres**

- Boot length from rear of back seat minimum: 1,000
- Boot width minimum: 950
- Boot height minimum: 450
- Height from front seat base to ceiling minimum: 950
- Width from front driver door to front passenger door minimum: 1350
- Width from rear of front seat to rear back seat minimum: 900
- Height from rear seat base to ceiling minimum: 950

**Exterior lighting and visibility**

- Xenon headlights with Headlights Wash
- Front and twin rear fog lights
- Lights on warning alarm
- Electrically operated and heated door mirrors
- Heated rear window with time cut off
- Automatic rain sensing front wipers
- High level third brake light

**Seating**

- Three rear adjustable head restraints
- Electrically operated driver and front passenger seat

**Environmental Considerations**

- CO<sub>2</sub> emissions should be no more than 175 g/km

The supplier should specify characteristics of the vehicle offered relating to measures to address environmental considerations e.g. fuel/exhaust emissions, re-cyclability of components etc.

**Servicing**

Service of vehicles to be in line with manufacturers requirements. Please provide full details of services, including costs.

A temporary replacement vehicle of equivalent or better standard should also be made available during servicing of a vehicle.

**Warranty**

Three years warranty and/or 100,000 miles (including all parts, labour and replacement vehicle of equivalent or better standard) and breakdown recovery service.

**Delivery**

Delivery of vehicles should be to Stormont Castle Cottages, Stormont Estate. From receipt of an official order, delivery of vehicle/s should be no later than four weeks. Please provide details of delivery timescales.

**Buy-back Scheme**

Suppliers should provide a buy-back price within their offer which is based on the return vehicle being three years old of average condition with approximately 100,000 miles usage.

**Legislation**

The vehicle shall in all respects conform to the requirements of the relevant Northern Ireland legislation, e.g. Motor Vehicles (Construction and Use) Regulations and relevant European Union legislation. The supplier is responsible for the registration of the vehicle, quoting the tax class as Crown Exempt. The Purchaser must be given legible photocopies of all documentation. The original forms must be signed by the Department's representative. Failure to comply with the above may result in late or non-payment of invoices.

**Government Cars**

**Mr Gardiner** asked the Minister of Finance and Personnel (i) when the next tendering process for the supply of cars for the Ministerial fleet will begin; (ii) when the details of the process, the criteria and the scoring of the criteria will be made public; and (iii) how they will be made public. (AQW 8709/09)

**The Minister of Finance and Personnel:** The Department currently intends to commence the tendering process for the supply of cars for the Ministerial fleet in advance of the expiry of the existing contract which is scheduled to terminate at the end of the agreed 3 year warranty arrangements in June 2010.

The process, criteria and scoring methodology will be published within the tender documentation when the requirement is advertised.

The invitation to tender process, criteria and scoring of the criteria will be published in accordance with Northern Ireland (NI) Procurement Policy and the Public Contracts Regulations 2006. All tender documents can be obtained electronically for registered users of Central Procurement Directorate's e-sourcing system, e-sourcing NI.

**Government Cars**

**Mr Gardiner** asked the Minister of Finance and Personnel, pursuant to AQW 8234/09, why delivery time as a criterion was scored so highly, at 40% of the total potential score; and what were the details of the delivery times offered in the winning bid and for all the other unsuccessful bids. (AQW 8723/09)

**The Minister of Finance and Personnel:** The weighting applied to the criterion was reflective of the requirement to have the replacement cars available as soon as possible for Ministerial use.

Delivery Times Offered for all Bids are:

Supplier	(Winning Tender)	Tender 2	Tender 3	Tender 4	Tender 5	Tender 6	Tender 7	Tender 8
Delivery Times (working days)	15 days	42 days	21 days	50 days	40 days	30 days	30 days	45 days



### **Lurgan and Craigavon Leisure Centres**

**Mrs D Kelly** asked the Minister of Finance and Personnel, pursuant to AQW 7974/09, to outline the reason why Craigavon Borough Council was unable to proceed with the projects to install biomass boilers at Lurgan and Craigavon leisure centres, given the Department's assessment that these investments could have delivered savings financially and on carbon emissions. (AQW 8732/09)

**The Minister of Finance and Personnel:** Craigavon Borough Council advised the Department in February 2008 that it would be unable to complete the two biomass boiler projects due to legal issues within the Council that arose during the tendering process. The Department accepted this explanation and deemed the legal issues to be an internal matter for the Council to resolve.

In accepting the grant offer in 2007, the Council was aware that the deadline to complete the projects and claim the grants from the Department was 31 March 2008. Unfortunately it was not possible for the Council to resolve the legal issues and complete the projects by this deadline.

### **Lurgan and Craigavon Leisure Centres**

**Mrs D Kelly** asked the Minister of Finance and Personnel, pursuant to AQW 7975/09, (i) to explain the nature of the legal issues that arose during the tendering process; and (ii) to outline why these issues were not resolved, to prevent the financial loss of £161,000 to the Council. (AQW 8734/09)

**The Minister of Finance and Personnel:** Craigavon Borough Council advised the Department in February 2008 that legal issues had arisen in the tendering process that prevented the award of a contract for two biomass boiler projects. This explanation was accepted by the Department and further clarification was not sought as it was deemed an internal matter for the Council. As the issues could not be resolved by the Council by the deadline of 31 March 2008 to complete the project and claim the grant, the Council advised they would be unable to claim the funding on this occasion.

### **Non-domestic Regional Rate.**

**Mr Hamilton** asked the Minister of Finance and Personnel how many companies benefited from the freeze in the non-domestic regional rate. (AQW 8805/09)

**The Minister of Finance and Personnel:** There are 62,000 business ratepayers who are benefiting from the non-domestic regional rates freeze.

It is not possible to break this figure down to identify the number of companies, partnerships, sole traders and other organisations, nor is it possible to differentiate between those undertakings in the private, voluntary and public sectors.

### **Industrial Rates**

**Mr Hamilton** asked the Minister of Finance and Personnel how many companies benefited from the cap in industrial rates. (AQW 8806/09)

**The Minister of Finance and Personnel:** Currently 4,760 properties occupied and used for manufacturing purposes are entitled to industrial derating.

It is not possible to differentiate between companies, sole traders and partnerships and therefore this figure represents the number of businesses in Northern Ireland that benefit.

### **Green New Deal Group**

**Dr Farry** asked the Minister of Finance and Personnel what consideration is being given by his Department to the financial aspects of the recommendations of the Green New Deal Group on developing the green economy in relation to future spending decisions. (AQW 8837/09)

**The Minister of Finance and Personnel:** It is for the respective departments involved in the delivery of the services specified in this report to determine the financial implications of the recommendations from the Green New Deal Group.

In addition, there is insufficient detail presented within the report to allow a full and comprehensive analysis of the financial aspects of the recommendations in relation to the Executive's overall spending plans for 2010-11 and beyond.

### Central Procurement Directorate

**Mr Durkan** asked the Minister of Finance and Personnel if he intends to review Central Procurement Directorate involvement in a number of tender processes which have selected A4e for public sector contracts where concerns about the companies capacity or experience have subsequently emerged. (AQW 8901/09)

**The Minister of Finance and Personnel:** CPD is responsible for managing public procurement processes in accordance with relevant regulation, policy and best practice. CPD acts as a facilitator and a repository of specialist procurement knowledge. When it becomes involved in a procurement exercise for Supplies and Services it advises public bodies and acts on their behalf and it does not take decisions in its own right on any matter central to the procurement exercise. The selection criteria in respect of capacity or relevant experience for each procurement exercise is set by the department concerned and is assessed by representatives of that department. Therefore, any questions regarding the selection of specific contractors need to be directed to the department concerned.

### Equal Pay

**Mr McNarry** asked the Minister of Finance and Personnel to detail the status of the money set aside by HM Treasury to deal with the NI Civil Service equal pay claim. (AQW 8917/09)

**The Minister of Finance and Personnel:** The facility negotiated with the Prime Minister to cover costs pressures facing the Executive is a combination of advancing some capital expenditure and increased borrowing powers. It will also be possible, on an exceptional basis, to switch any sums used to current expenditure. The Executive has not yet used any of the facility.

### Equal Pay

**Mr McNarry** asked the Minister of Finance and Personnel to detail the amount of money set aside by HM Treasury to deal with the NI Civil Service equal pay claim and other contingencies. (AQW 8918/09)

**The Minister of Finance and Personnel:** Apart from a facility for access to up to £100 million which was negotiated with the Prime Minister by the previous Finance Minister, I am not aware of what amount of money, if any, that the Treasury may have set aside to deal with the Civil Service equal pay claims or any other cost pressures facing the Executive.

### Efficiency Savings

**Mr McNarry** asked the Minister of Finance and Personnel to give details of any discussions he has had with HM Treasury about efficiency savings before and after 2011. (AQW 8920/09)

**The Minister of Finance and Personnel:** In the period since my appointment as Minister for the Department of Finance and Personnel on 1 July 2009 I have not had discussions with HM Treasury regarding efficiency savings.

It is a matter for the Northern Ireland Executive to determine the level and nature of efficiency savings required from Northern Ireland departments.

## Budget 2008-09

**Mr Hamilton** asked the Minister of Finance and Personnel to detail the size of the budget in 2008-09.

(AQW 8975/09)

**The Minister of Finance and Personnel:** The most recent information available regarding the level of public expenditure by Northern Ireland departments in 2008-09 is in relation to the Provisional Outturn position, which I reported to the Assembly on 7 July 2009.

These figures indicate that expenditure by Northern Ireland departments was £8.6 billion in terms of current expenditure in 2008-09 and £1.5 billion in respect of net capital investment.

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Brangam and Bagnall

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to list any cases, dating from 2000 to 2006, when the Causeway Trust received representations from the law firm Brangam and Bagnall on behalf of members of the Trust's senior management team.

(AQW 3006/09)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** As far as I am aware, there were no cases between 2000 to 2006 in which the Causeway Trust received representations from the law firm Brangam Bagnall & Co on behalf of members of the Trust's senior management team.

### Fermanagh and South Tyrone Heart Surgery Referrals

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many referrals there have been from the Fermanagh and South Tyrone constituency for heart surgery to (i) The Mater Private Hospital, Dublin; (ii) Blackrock Hospital, Dublin; (iii) Guys Hospital, London; (iv) HCI International Medical Centre, Glasgow, in each of the last three years.

(AQW 7324/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of patients residing in the Fermanagh and South Tyrone constituency that were referred to (i) The Mater Private Hospital, Dublin; (ii) Blackrock Hospital, Dublin; (iii) Guys Hospital, London and (iv) HCI International Medical Centre, Glasgow, for heart surgery, together with the number that had heart surgery in Health and Social Care Hospitals in Northern Ireland, in each of the last three years, are contained in the table below.

Financial Year	Number of patients residing in the Fermanagh and South Tyrone constituency that received heart surgery in:				
	Mater Private Hospital Dublin	Blackrock Hospital Dublin	Guys Hospital London	HCI International Medical Centre Glasgow	HSC Hospitals in Northern Ireland
2006/07	19	3	0	0	407
2007/08	27	0	4	0	456
2008/09	62	4	2	0	508 <sup>1</sup>

**Source:** Belfast HSC Trust and DHSSPS Hospital Inpatient System

<sup>1</sup> Data are provisional

In 2008/09, the Belfast HSC Trust was contracted to provide 1,000 elective cases in cardiac surgery. Due to increased demand for surgery however, there was a need to access treatment outside Northern Ireland for an additional 68 patients from the Fermanagh and South Tyrone constituency. This use of the independent sector ensured that patients had timely access to the surgical treatment they required. Patients are offered a choice of referral to other centres, however if they choose not to be referred outside NI this may impact on their waiting time for treatment.

## Paediatric Epilepsy Specialists

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what steps he is taking to address the shortage of paediatric epilepsy specialists. (AQW 7807/09)

**The Minister of Health, Social Services and Public Safety:** Following a recruitment process, a paediatric neurologist was offered the available post at the Royal Belfast Hospital on 1 May, 2009. The successful candidate has indicated a start date in September of this year.

In January 2009, I announced £220,000 additional recurrent funding to strengthen our existing regional paediatric neurology services. This will provide for specialist ketogenic dieticians, a paediatric neurology nurse, and a regional paediatric neurology multidisciplinary team.

An additional £9m has also been allocated for the three years until 2011 to support children and young people with complex physical healthcare needs, including those with epilepsy, to live within their family setting. Among other resources, this funding will provide for additional children's nurses, Allied Health Professionals and support workers.

## Epilepsy: NICE Guidelines

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety for an update on implementation of the NICE epilepsy guidelines. (AQW 7808/09)

**The Minister of Health, Social Services and Public Safety:** NICE clinical guidelines, including epilepsy guidelines, are advisory good practice documents covering a wide range of issues relating to the management of a disease or medical condition. They are regarded as developmental standards designed to encourage and support moves to better practice that HSC organisations are expected to achieve over time.

The Regulation and Quality Improvement Authority is responsible for reviewing clinical and social care governance arrangements in individual HSC Trusts against a range of quality standards. This includes compliance with best practice guidance concerned with safe and effective care such as NICE guidelines.

## Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety (i) what consideration he has given to the Welsh Assembly's Service Development and Commissioning Directive for Epilepsy; and (ii) if he will implement similar recommendations. (AQW 7809/09)

**The Minister of Health, Social Services and Public Safety:** In Northern Ireland people suffering from this very debilitating condition have access to appropriate care and treatment, ranging from primary and community care to specialist regional neurology services, depending on their assessed individual needs.

I can advise that in 2002, following a review of neurology services, my Department published 30 recommendations for improvements in the provision and delivery of services, including epilepsy. I have now commissioned a full and comprehensive evaluation and report of the effectiveness of the implementation of those recommendations.

In parallel with that evaluation my Department will review the continued relevance of these recommendations in light of any professional or other guidance issued since their publication. That review will include advice and guidance issued in other parts of the United Kingdom.

The work now underway will inform the Department as to the need for the further development of services for people with epilepsy in Northern Ireland.

## Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety how many diagnosed cases of epilepsy there are in the Western Health and Social Care Trust area. (AQW 7909/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of diagnosed cases of epilepsy and paediatric epilepsy there are in the Western Health and Social Care Trust area is not available.



## MRSA

**Mr Storey** asked the Minister of Health, Social Services and Public Safety whether his Department has given nursing homes the same priority as hospitals in its recommendations for combating the spread of MRSA infection; and to detail how his Department monitors and audits the implementation of its anti MRSA policy in the Northern Health and Social Care Trust. (AQW 8252/09)

**The Minister of Health, Social Services and Public Safety:** These homes are run by independent providers outside of the health service but they are regulated, and they are inspected by the Regulation and Quality Improvement Authority (RQIA). Guidance on infection prevention and control has been provided by the RQIA to private nursing homes, including the Northern Ireland online Regional Infection Prevention and Control Manual.

The RQIA registers and inspects a wide range of health and social care services. RQIA's inspections are based on a new set of minimum care standards which will ensure that both the public and the service providers know what quality of services is expected. RQIA inspectors visit nursing and residential care homes to examine all aspects of the care provided, to guarantee the comfort and dignity of those using the facilities, and ensure public confidence in these services. When inspecting private nursing homes RQIA inspectors look for observance of best practice in infection prevention and control. Ultimately the RQIA has powers to close any regulated establishment where there is a serious or persistent failure affecting patient safety.

Much of the work done to date on the prevention and control of healthcare-associated infections is important for protecting residents of nursing homes, e.g. promoting good hand hygiene; ensuring high standards of environmental cleanliness, and guidance on antibiotic prescribing to reduce the risk of antimicrobial resistance.

My Department is currently developing a general policy on MRSA screening. In April 2008 the Department issued best practice guidance on MRSA screening for high risk patients and advised the HSC Trusts to review their policies on MRSA screening to determine the most appropriate approach to screening their patient population.

## Armagh & Dungannon Family Support Workers

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 8005/09, if the lack of contracts for the eight Armagh and Dungannon Family Support Workers who are being reemployed to "ensure equity of service provision" has resulted in them being unfairly treated in comparison with their three Craigavon counterparts who have not been targeted for redeployment. (AQW 8279/09)

**The Minister of Health, Social Services and Public Safety:** The Southern Trust has advised that this process is taking place in full consultation with relevant Union representatives to ensure that due process is followed.

They are endeavouring to ensure that all staff are treated equally with the objective of providing them with permanent Trust Contracts as is the case in the Craigavon and Banbridge area. These staff are also affected by this process as they will also be realigned to the existing Social Work teams resulting in a new management arrangement.

RPA has resulted in many changes for all grades of staff which is now what is happening in relation to Family Support Workers. It must be stressed that the development is in the context of an improved service for families across the Southern Trust and a service which is more efficient.

As advised previously, the Head of Family Support for the Southern Trust is happy to meet with you to discuss this matter if you would find that helpful.

## Supporting Families in Northern Ireland Response Document

**Lord Browne** asked the Minister of Health, Social Services and Public Safety to detail the outcomes from his Department's 'Supporting Families in Northern Ireland Response Document' of 2007. (AQW 8532/09)

**The Minister of Health, Social Services and Public Safety:** The Families Matter response document showed strong support for the themes and proposals outlined in the consultation document and highlighted a need for stronger intergovernmental working; helping families of children with additional needs and 'hard to reach' families access universal services; and the need to consider the role of social services in the provision of effective preventative family support services. These issues were considered and incorporated into the final Families Matter strategy document that I launched on 12 March 2009.

## Ulster Hospital

**Lord Browne** asked the Minister of Health, Social Services and Public Safety what is the average waiting time between a first appointment and the required treatment being administered, in the Ulster Hospital.

(AQW 8533/09)

**The Minister of Health, Social Services and Public Safety:** Information on the average waiting time between a first outpatient appointment and subsequent inpatient admission is not collected by the Department. Provision of this information by the South Eastern Health and Social Care Trust would incur a disproportionate cost.

## Duchenne Muscular Dystrophy

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety how many patients have been diagnosed with Duchenne Muscular Dystrophy over the last three years.

(AQW 8545/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of patients that have been diagnosed with Duchenne Muscular Dystrophy over the last three years is not available.

## Duchenne Muscular Dystrophy

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if he has had discussions with people diagnosed with Duchenne muscular dystrophy regarding the creation of a centre of excellence.

(AQW 8546/09)

**The Minister of Health, Social Services and Public Safety:** Officials from my Department have had an initial meeting with representatives of Action Duchenne to discuss the issues raised in their campaign document "Race Against Time", including the provision of a centre of excellence. A further meeting is proposed for the early autumn, the timing of which is being agreed so that certain members of Action Duchenne will be available to discuss these issues with my officials in more depth.

## Patient Client Councils

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety (i) to list the appointments to the new Patient Client Councils; and (ii) to detail the criteria used by the selection panel in recommending those appointments.

(AQW 8554/09)

**The Minister of Health, Social Services and Public Safety:**

- (i) In response to the list of those appointed to the Patient and Client Council I refer the Member to [www.patientclientcouncil.hscni.net](http://www.patientclientcouncil.hscni.net)
- (ii) Prior to the commencement of interviews the panel agreed the pass mark for all candidates. Those candidates found to be above the line were recommended for appointment to Minister. They were not ranked in order nor were the interview scores given. This is fully compliant with the Commissioner for Public Appointments for Northern Ireland Code of Practice for Ministerial appointments to public bodies.

## Epilepsy

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety to detail the number of people diagnosed as having epilepsy, broken down by constituency.

(AQW 8556/09)

**The Minister of Health, Social Services and Public Safety:** Information is not available on the number of people diagnosed as having epilepsy, broken down by constituency.

## Epilepsy

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of specialist consultants in epilepsy; and (ii) their location. (AQW 8558/09)

**The Minister of Health, Social Services and Public Safety:** There are 5 (5.0 WTE) consultants with a special interest in epilepsy (3 adult, 2 paediatric) who are employed by the Belfast HSC Trust. The 3 adult specialists are based at the Royal Victoria Hospital and the 2 paediatric specialists are based at the Royal Belfast Hospital for Sick Children (RBHSC). In addition, there is another consultant with a special interest in epilepsy (1.0 WTE) who is due to take up a paediatric post in the RBHSC in September 2009. These consultants also hold clinics in the other HSC Trusts. This information has been obtained directly from the HSC Trusts. Note that consultant neurologists also regularly see patients with epilepsy.

**Note:** WTE is the whole-time equivalent number of staff is calculated by aggregating the total number of hours that staff in a grade are contracted to work, and dividing by the standard hours for that grade.

## Epilepsy

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety if there is a dedicated fund to help people diagnosed with epilepsy, their families, carers and support groups. (AQW 8559/09)

**The Minister of Health, Social Services and Public Safety:** The Health & Social Care Board provides funding for 3 dedicated epilepsy nurses in Trusts to help those with intractable epilepsy and other neurological conditions.

## Fertility Services

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety if the 18 week waiting time initiative applies to fertility services. (AQW 8579/09)

**The Minister of Health, Social Services and Public Safety:** The 18 week waiting time initiative referred to does not apply to Northern Ireland. Within Northern Ireland the target of a maximum wait of 9 weeks for a first outpatient appointment applies to fertility treatment. I have also recently introduced extra funding for the service to ensure a maximum waiting time of 1 year from being placed on a waiting list for IVF to receiving treatment.

## Fertility Counselling Services

**Mr O'Dowd** asked the Minister of Health, Social Services and Public Safety what is the current level of counselling/support services available for couples who have fertility problems; and what plans he has to improve this provision. (AQW 8580/09)

**The Minister of Health, Social Services and Public Safety:** I refer the member to AQW 8358/09.

## IVF/ICSI Treatments

**Mr O'Dowd** asked the Minister of Health, Social Services and Public Safety what steps he is taking to increase the number of IVF/ICSI treatments, as in the NICE guidelines. (AQW 8583/09)

**The Minister of Health, Social Services and Public Safety:** I refer the member to AQW 8312/09

## Clinical Physiologists

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety to outline the procedure for obtaining a section 60 order for the statutory regulation of clinical physiologists; and what is the proposed timeline for an order to be laid down. (AQW 8585/09)

**The Minister of Health, Social Services and Public Safety:** Statutory regulation of clinical physiologists, like most healthcare professionals, will be on a UK-wide basis and consequently the Department of Health (DH) in England is taking the lead in bringing forward legislation which will lead to regulation of this group. DH has provided a timeline to the Registration Council for Clinical Physiologists (RCCP), the profession's leadership body, for the development of this UK-wide legislation.

Currently work has commenced on policy development and the preparation of draft legislation together with an impact assessment. It is expected the policy will be issued for consultation later this year. Unfortunately it is not possible to give a precise date for laying the draft legislation. The section 60 order can take up to 2 years to progress. This timeline is based on there being no other demands made on Parliamentary time. It takes into account a 3 month public consultation period and is subject to any delay occurring as part of the Parliamentary process.

### Regional Fertility Clinic

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety what plans his Department has to increase the capacity of the regional fertility clinic to meet the demands on the service. (AQW 8586/09)

**The Minister of Health, Social Services and Public Safety:** The limiting factor on publicly funded fertility treatment in Northern Ireland has always been the availability of funding rather than capacity. I have recently introduced an extra £1.5m per annum in order to reduce waiting times and improve access.

### Dystonia

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety how much resources have been set aside for dystonia. (AQW 8590/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is not available.

### Macular Degeneration

**Lord Browne** asked the Minister of Health, Social Services and Public Safety when will treatment for patients with Macular Degeneration be available. (AQW 8605/09)

**The Minister of Health, Social Services and Public Safety:** Treatment with argon laser and photodynamic therapy is available for patients with wet age-related macular degeneration (wet AMD) who are clinically suitable for these treatments. Treatment with Lucentis (ranibizumab) for wet AMD is also currently available to patients with the greatest clinical priority.

### Bowel Cancer Screening Programme

**Lord Browne** asked the Minister of Health, Social Services and Public Safety what his proposals are to implement the Bowel Cancer Screening Programme. (AQW 8606/09)

**The Minister of Health, Social Services and Public Safety:** In the recently published Priorities for Action for 2009-10, I have set a target for the introduction of bowel cancer screening by December 2009.

**Bowel cancer screening (PSA 1.11):** by December 2009, Commissioners and Trusts should establish a comprehensive bowel screening programme for those aged 60-69 (to include appropriate arrangements for follow-up treatment).

From December 2009 it is intended that all eligible men and women aged between 60 and 69 are to be offered screening every 2 years. The programme would then be extended to age 74 from 2012.

A project management structure is currently in place to oversee the implementation of the bowel screening programme across Northern Ireland.



### Rare Diseases

**Lord Browne** asked the Minister of Health, Social Services and Public Safety what his proposals are for developing and implementing plans or strategies for dealing with rare diseases. (AQW 8608/09)

**The Minister of Health, Social Services and Public Safety:** It is intended that in the near future, officials from each of the Devolved Administrations will meet with colleagues in the Department of Health to discuss the recent European Union Council Recommendation that Member States should establish and implement plans or strategies for rare diseases.

The outcome of this meeting will help determine how my Department takes this matter forward in Northern Ireland.

### Dystonia

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety how many people, in each constituency, have been diagnosed with dystonia. (AQW 8613/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of people, in each constituency, that have been diagnosed with dystonia is not available.

### Cancer Fund for Children

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety what financial assistance his Department offers to the Cancer Fund for Children. (AQW 8614/09)

**The Minister of Health, Social Services and Public Safety:** Through the Children's Fund, my Department has supported the Northern Ireland Cancer Fund for Children (NICFC) since October 2003. In that time, it has received grant assistance in the region of £163,000.

Although the Children's Fund ended in March 2009, my Department continued to fund all of those projects formerly supported by the Children's Fund that support the objectives and functions of my Department, which includes the NICFC's Family Dynamics Project. Grant funding of £44,550 for the period 1 April 2009 to 31 March 2009 was made available to support the project's work. NICFC will continue to receive DHSSPS project funding of £23,612 in 2009/10 and £24,202 in 2010/11 for the Family Dynamics Project.

### Dystonia

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety how many specialist nurses are there for patients diagnosed with dystonia. (AQW 8615/09)

**The Minister of Health, Social Services and Public Safety:** According to the Health & Social Care Trusts, there are no specialist nurses with the specific remit of treating patients with dystonia.

### Personality Disorder

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety what treatment is offered to patients presenting with personality disorders. (AQW 8627/09)

**The Minister of Health, Social Services and Public Safety:** People with personality disorders are treated within mental health services. Where specialist treatment is required Trusts are able to make referrals to inpatient services in GB.

My Department has recently consulted on a strategy for the development of services for people with a personality disorder. This will be published later this year. £0.6m has been allocated this year to start to develop services for people with these disorders. A further £2.5m will be allocated from 2010/11 for this purpose.

### Personality Disorder

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety if personality disorder is recognised under the Mental Health Act. (AQW 8628/09)

**The Minister of Health, Social Services and Public Safety:** Currently under the Mental Health (Northern Ireland) Order 1986, a person suffering “by reason only of personality disorder” does not fall within the definition of mental disorder. A person suffering from a personality disorder will only fall within the ambit of mental health legislation if diagnosed with a coexistent mental disorder.

### Personality Disorder

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety how many people have been referred to England, or elsewhere, for treatment for a personality disorder over the past three years. (AQW 8629/09)

**The Minister of Health, Social Services and Public Safety:** In total there have been 48 referrals to England for treatment for a personality disorder over the last 3 years.

### Personality Disorder

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety how many people are currently being treated for a personality disorder in Northern Ireland. (AQW 8630/09)

**The Minister of Health, Social Services and Public Safety:** Figures are not available for the number of people being treated for a personality disorder. It is generally accepted that between 20 – 40% of patients admitted to acute mental health inpatient care will have a single or co-morbid diagnosis of personality disorder. Also, 10% of the outpatient list of general adult psychiatrists will include patients with a single or co-morbid diagnosis of personality disorder.

### Personality Disorder

**Mrs O'Neill** asked the Minister of Health, Social Services and Public Safety if he plans to change the recognition of personality disorder in legislation. (AQW 8631/09)

**The Minister of Health, Social Services and Public Safety:** My Department, in January 2009, issued the consultation document ‘A Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland’. This paper outlined my Department’s intention to reform mental health legislation which included a proposal to develop a new definition of mental disorder that will no longer exclude those suffering solely from personality disorder.

### Legal Fees

**Mr Burns** asked the Minister of Health, Social Services and Public Safety to detail the total amount of money which has been paid to solicitors and barristers by his Department in respect of legal fees, in each of the last five years. (AQW 8634/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is not readily available in the format requested and could only be obtained at a disproportionate cost.

### Referrals to Hospitals in the Republic of Ireland

**Mrs Hanna** asked the Minister of Health, Social Services and Public Safety how many patients have been referred to hospitals in the Republic of Ireland for treatment in each of the past five years. (AQW 8639/09)

**The Minister of Health, Social Services and Public Safety:** The total number of patients referred for inpatient treatment to hospitals in the Republic of Ireland in the financial year 2008/09, was 436. The provision of data for the previous four years would incur disproportionate cost.

### **Southern Health and Social Care Trust**

**Mr Irwin** asked the Minister of Health, Social Services and Public Safety, to detail the plans for capital expenditure by the Southern Health and Social Care Trust over the next five years. (AQW 8641/09)

**The Minister of Health, Social Services and Public Safety:** I announced in December 2008 that £63m capital investment would be provided to improve health and social care services in the Southern Trust area over the current 3-year CSR period ending 2010/11. This is part of a total planned investment of some £315m in the Southern Trust area over the 10-year ISNI period ending 2017/18.

### **Prader-Willi Syndrome Association**

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety what assistance his Department has given, and will give, to the outreach development worker for the Prader-Willi Syndrome Association. (AQW 8670/09)

**The Minister of Health, Social Services and Public Safety:** Whilst my Department currently does not fund a Prader-Willi Syndrome Outreach development worker the Prader-Willi Association has been in contact with the Health and Social Care Board seeking funding for an outreach development worker. Discussions are ongoing and a response will be issued shortly.

### **Social Workers: Allowances for**

**Mrs I Robinson** asked the Minister of Health, Social Services and Public Safety what allowances are granted to social workers when attending work-related events in Great Britain; and to detail the amount of money allocated for these allowances and if he will make a statement on this matter. (AQW 8674/09)

**The Minister of Health, Social Services and Public Safety:** This information is not held centrally, however Trusts advise that in relation to attending work related events in Great Britain social workers are entitled to the same allowances as all other Health & Social Services staff. These are subject to Agenda for Change and contained within the Agenda for Change NHS Terms and Conditions of Service Handbook.

Annex 1, Section 18 of the Handbook details all the information you require and Annex N provides an updated schedule of the current rates of payment for subsistence allowances. I have attached this for your information.

There is no budget allocation for this specifically for social workers that I am aware of. Each case is dealt with on its merits under Agenda for Change conditions.

#### **Annex 1**

#### **Part 3: Terms and Conditions Section 18: Subsistence Allowances**

#### **Section 18**

#### **Subsistence Allowances**

18.1 Where locally, staff and employer representatives agree arrangements which are more appropriate to local operational circumstances or which provide benefits to staff beyond those provided by this section, or are agreed as operationally preferable, those local arrangements will apply.

18.2 The purpose of this Section is to reimburse staff for the necessary extra costs of meals, accommodation and travel arising as a result of official duties away from home. Business expenses which may arise, such as the cost of a fax or official telephone calls, may be reimbursed with certificated proof of expenditure.

**Night Subsistence****Short Overnight Stays in Hotels, Guest Houses and Commercial Accommodation**

18.3 When an employee stays overnight in a hotel, guest house, or other commercial accommodation with the agreement of the employer, the overnight costs will be reimbursed as follows:

- the actual, receipted cost of bed and breakfast up to the normal maximum limit set out in Annex N; plus
- a meals allowance, to cover the cost of a main evening meal and one other day-time meal, at the rate set out in Annex N.

18.4 Where the maximum limit is exceeded for genuine business reasons (e.g. the choice of hotel was not within the employee's control or cheaper hotels were fully booked) additional assistance may be granted at the discretion of the employer.

**Short Overnight Stays in Non-Commercial Accommodation**

18.5 Where an employee stays for short overnight periods with friends or relatives or in a caravan or other non-commercial accommodation the flat rate sum set out in paragraph 3 of Annex N is payable. This includes an allowance for meals. No receipts will be required.

18.6 Employees staying in accommodation provided by the employer or host organisation shall be entitled to an allowance to cover meals which are not provided free of charge up to the total set out in paragraph 2 of Annex N.

18.7 Where accommodation and meals are provided without charge to employees, e.g. on residential training courses, an incidental expenses Terms and Conditions of Service Handbook.

**Part 3: Terms and Conditions Section 18: Subsistence Allowances allowance at the rate set out in paragraph 6 of Annex N will be payable.**

All payments of this allowance are subject to the deductions of appropriate tax and National Insurance contributions via the payroll system.

**Travelling Overnight in a Sleeping Berth (Rail or Boat)**

18.8 The cost of a sleeping berth (rail or boat) and meals, excluding alcoholic drinks, will be reimbursed subject to the production of vouchers.

**Short-term Temporary Absence Travel Costs**

18.9 Travel costs between the hotel and temporary place of work will be separately reimbursed on an actual cost basis.

**Long-term Overnight Stays**

18.10 After the first 30 nights stay in the same location the entitlement to night subsistence shall be reduced to the maximum rates set out in paragraph 4 of Annex N. Meals allowances are not payable to these employees. Those who continue to stay in non-commercial accommodation will continue to be entitled to the rate set out in paragraph 3 of Annex N.

**Day Subsistence**

18.11 A meal allowance is payable when an employee is necessarily absent from home and more than five miles from their base by the shortest practicable route on official business. Day meals allowance rates are set out in paragraph 5 of Annex N. These allowances are not paid where meals are provided free at the temporary place of work.

18.12 A day meals allowance is payable only when an employee necessarily spends more on a meal/meals than would have been spent at their place of work. An employee shall certify accordingly on each occasion for which day meals allowance is claimed but a receipt is not required.

18.13 Normally an employee claiming a lunch meal allowance would be expected to be away from his/her base for a period of more than five hours and covering the normal lunch time period of 12.00 pm to 2.00 pm. To claim an evening meals allowance an employee would normally be expected to be away from base for more than ten hours and unable to return to base or home before 7.00 pm and as a result of the late return is required to have an evening meal. Employees may qualify for both lunch and evening meal allowance in some circumstances. There will be occasions where, due to the time of departure, there will be the necessity to take a meal but the conditions relating to the time absent.



**Annexes Annex N: Subsistence Allowances****Annex N****Subsistence Allowances****Schedule of Recommended Allowances**

## 1. Night Allowances: First 30 Nights

Actual receipted cost of bed and breakfast up to a maximum of £55 (subject to the provisions of paragraph 18.3 of Section 18 if this is exceeded for genuine business reasons)

## 2. Meals Allowance Per 24 hour period £20.00

## 3. Night allowances in non-commercial accommodation Per 24 hour period £25.00

## 4. Night Allowances: After First 30 Nights

Married employees and employees with responsibilities equivalent to those of married employees Maximum amount payable: £35.00

Employees without responsibilities equivalent to those of married employees and those staying in non-commercial accommodation Maximum amount payable: £25.00

## 5. Day Meals Subsistence Allowances

Lunch Allowance (more than five hours away from base, including the lunchtime period between 12.00pm to 2.00pm) £5.00

Evening Meal Allowance (more than ten hours away from base and return after 7.00pm) £15.00

## 6. Incidental Expenses Allowance (this allowance is subject to a tax liability) Per 24 hour period: £4.20

**Terms and Conditions of Service Handbook**

## 7. Late Night Duties Allowance (this allowance is subject to a tax liability) Per 24 hour period: £3.25

**Areas of Health Co-operation**

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety, in respect of each of the five areas of health cooperation identified in the Belfast Agreement, to outline all activities and projects currently in place. (AQW 8679/09)

**The Minister of Health, Social Services and Public Safety:** Activities and projects currently in place in the 5 areas of co-operation in health are included in the table below.

**Current Projects and Activities in each of the Five Areas of Health Cooperation Identified in the Belfast Agreement****Accident and Emergency Services (this has been taken to cover acute services generally)**

- cross-border Oral and Maxillo Facial Services in the north-west
- piloting of cross-border GP Out-of-hours Services in Inishowen-Londonderry and Castleblayney-Keady

**Planning for Major Emergencies**

- Fire and Rescue Services including dealing with emergencies and road accident responses in border areas
- training and planning for major emergencies
- infectious disease emergency planning
- close co-operation on the recent Influenza A/H1N1 outbreak

**High Technology Equipment**

- provision of radiotherapy treatment for Donegal patients at Belfast City Hospital

**Cancer Research**

- continuing work of the Cancer Consortium (Ireland - Northern Ireland - National Cancer Institute (NCI) in Washington DC) including:
  - common protocols, definitions and datasets utilised by cancer registries

- use of telesynergy centres in both jurisdictions linked to the NCI - to aid diagnosis of rare conditions and for research collaborations
- the extension of cancer prevention fellowship programme;
- all-island participation in clinical trials involving the Irish Co-operative Oncology Research Group;
- development of an all-Island Research and Development Strategy for Cancer Nursing;
- training and awards programmes; and
- consideration of development of an all-island biobank.

### **Health Promotion**

- continuing co-operation in health promotion between the relevant agencies across a wide range of topics, settings and population groups
- all-island Obesity Action Forum
- recommendations on priority areas of work by the Institute of Public Health (IPH)
- focus on feasibility and sustainability and where the best gains could be made in terms of shared learning and resources and optimising effectiveness
- Suicide Prevention is included as a specific aspect of health promotion and
  - current actions under consideration include:
    - Training and Education, such as evaluation of Applied Suicide Intervention Skills training
    - Development of performance indicators for relevant actions
    - Media monitoring/Guidelines
    - Men's Health Forum
    - further extension of Irish Registry of self harm pilot study within N Ireland
    - Data collection arrangements
    - Public awareness campaign
    - Development of annual report to NSMC
    - Membership of respective implementation groups
    - All-Island mapping of voluntary/community suicide prevention support groups

### **Areas of Health Co-operation**

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety, in respect of each of the five areas of health cooperation identified in the Belfast Agreement, to outline (i) all activities and projects in planning or under development; and (ii) to outline all activities and projects implemented in the last five years. (AQW 8680/09)

**The Minister of Health, Social Services and Public Safety:** My answers to the member's previous questions AQW 8679/09 and AQW 8695/09 refer to activities and projects in place and being developed and to the recent completion of a study looking at the potential for other areas of co-operation. There are no other projects in planning.

The table below provides a summary of key projects and activities over the past five years. While some of these have been completed, others are ongoing and are also recorded under projects currently in place.

#### **Projects and Activities (in each of the Five Areas of Health Cooperation Identified in the Belfast Agreement) Addressed Over the Last Five Years**

##### **Accident and Emergency Services (this has been taken to cover acute services generally)**

- Provision of Oral and Maxillo Facial Services on a cross-border basis in the north-west
- Exchanges of information arising from reviews of renal services in each jurisdiction

##### **Planning for Major Emergencies**

- Cross-border First Responder Project evaluated and responsibility transferred to the Ambulance Services in each jurisdiction
- Cost benefit study of an all-island Helicopter Emergency Medical Service

- development of road accident mobilisation strategy for fire and rescue services in border areas
- combined community fire prevention awareness and education programmes
- Exercise Medical Bridge - a major cross-border emergency planning exercise (April 2007)
- Exercise Medical Bridge II (April 2008)
- Exercise Foyle Venture (October 2008)
- Major Incident Medical Management and Support course (2007)
- pandemic flu workshop (2006)
- infectious disease emergency planning

#### **High Technology Equipment**

- arrangements for the provision of radiotherapy treatment for Donegal patients at Belfast City Hospital were agreed at the end of 2006

#### **Cancer Research**

- Projects initiated by the Cancer Consortium (Ireland - Northern Ireland - National Cancer Institute (NCI) in Washington DC) including:
  - publication of all-island Cancer Statistics Reports by Cancer Registries
  - review of the Memorandum of Understanding (2005) and renewal of (2006)
  - common protocols, definitions and datasets utilised by cancer registries
  - establishment of telesynergy centres (including at the Belfast City Hospital) linked to the NCI - to aid diagnosis of rare conditions and for research collaborations
  - epidemiological cancer research fellowships
  - all-island cancer prevention workshops
  - scholar and nursing exchange programme with NCI
  - all-island participation in clinical trials involving the Irish Co-operative Oncology Research Group

#### **Health Promotion**

- conferences on men's health, workplace health and physical activity (2004-05)
- conferences on health promoting hospitals, mental health, breast feeding and obesity (2004-05)
- Ministerial meetings on control of smoking and suicide prevention (2005)
- Health promoting hospitals conferences in 2006 and 2007
- research into health and lifestyle issues
- "Little steps" media campaign on healthy eating and physical activity for children (2008)
- multi-sectoral conference on obesity (November 2008)
- 3rd all-Island breastfeeding conference (2008)
- all-island Obesity Action Forum established (December 2008)
- all-island action on suicide prevention included as a specific aspect of health promotion from 2007 and activities have included:
  - Congress of the International Association for Suicide Prevention (August 2007)
  - Training and Education, such as evaluation of Applied Suicide Intervention Skills training
  - All-Island Training Needs Analysis
  - Resource Officer/Awareness Coordinator meetings
  - Media monitoring/Guidelines
  - Men's Health Forum
  - Irish Registry of self harm pilot study within the Western Board Area of N Ireland
  - Tackling Harmful Internet content and liaison between respective UK and RoI bodies
  - All-Island mapping of voluntary/community suicide prevention support groups

### Areas of Health Co-operation

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety to detail (i) what areas of health cooperation have been developed beyond those identified in the Belfast Agreement, and (ii) what plans his Department has for the identification and roll-out of further areas of cooperation. (AQW 8695/09)

**The Minister of Health, Social Services and Public Safety:** Co-operation between the two health Departments and the various agencies and bodies responsible for delivering health (and social) care has taken place over many years. It includes meetings and regular exchanges of information at administrative or professional level; co-operation in training and continuing education and with regard to professional regulation; the all-island and cross-border work of the Institute of Public Health and that of CAWT (Co-operation and Working Together); provision of assistance to deal with emergencies; and the transfer of patients requiring specialist or continuing care.

Following an NSMC Plenary decision in February 2008, DHSSPS and DOHC were asked to develop a work programme to intensify co-operation on Child Protection.

A joint Feasibility Study to examine the potential for more strategic co-operation in the area of health and social well-being has been undertaken by the two Departments. This recently completed study looked at both the existing five areas and other aspects of health and social care. Its report is currently being considered by Health Ministers in each jurisdiction.

### Hip Arthroscopy

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety when surgical treatment for hip arthroscopy will be available. (AQW 8696/09)

**The Minister of Health, Social Services and Public Safety:** I refer the Member to the answer I gave to AQO 2411/09.

### Heart Attacks and Strokes

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the number of both men and women, who have had (i) heart attacks; and (ii) strokes, in the age brackets (a) 20-29 years of age; (b) 30-39 years of age; (c) 40-60 years of age in each of the last three years. (AQW 8713/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of both men and women, who have had (i) heart attacks; and (ii) strokes, in the age brackets (a) 20-29 years of age; (b) 30-39 years of age; (c) 40-60 years of age in each of the last three years is not available.

### Heart Attacks and Strokes

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety what steps he is taking to address the increase in the number of heart attacks and strokes. (AQW 8714/09)

**The Minister of Health, Social Services and Public Safety:** I am fully aware of the high numbers of people in Northern Ireland who suffer from heart attack and stroke each year. To address this issue I recently published the service framework for cardiovascular health and wellbeing which sets out 45 standards in relation to the prevention, assessment, diagnosis, treatment, care and rehabilitation of individuals/communities who currently have or are at greater risk of developing cardiovascular disease including heart attack and stroke. I also published 14 recommendations and accompanying standards for improving all aspects of stroke care in Northern Ireland in June 2008.

As part of the current budget I have invested £12 million in cardiovascular services and £14 million in stroke services. Much of this funding will support the delivery of the cardiovascular framework.

Finally I have allocated approximately £2.5 million towards tobacco control this year as I am aware that it is also a major risk factor for coronary heart disease, stroke and other diseases of the circulatory system.



## Ulster Hospital

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety, what steps he is taking to ensure additional consultant cover is provided in the light of four cancer consultants being absent from work in the Ulster Hospital. (AQW 8717/09)

**The Minister of Health, Social Services and Public Safety:** It is the responsibility of the South Eastern Health and Social Care Trust to ensure adequate consultant cover at the Ulster Hospital. The South Eastern Health and Social Care Trust has confirmed that, out of the three visiting oncologists who provide oncology services at the Ulster Hospital, one is currently on sick leave; this oncologist normally provides 2 outpatient oncology sessions per week. A locum oncologist is currently providing cover for one of these sessions, with a further locum oncologist secured to cover the remaining session. There has been no corresponding delay in patient treatment.

There are no other consultants, who provide care to cancer patients, currently on sick or maternity leave; however, normal leave arrangements are in progress for consultants throughout the Trust. Although it is not normal practice to provide locum cover for annual leave, there has been no detrimental impact on patient care.

## Ambulance Service and Fire and Rescue Service

**Mr Burns** asked the Minister of Health, Social Services and Public Safety to detail how many (i) ambulance service (ii) fire service staff have retired due to ill health in each of the last five years; and what percentage this represents of (a) all staff who retired that year and (b) the total workforce. (AQW 8721/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is shown in the tables below:

### NORTHERN IRELAND AMBULANCE SERVICE

Year	Staff retiring on health grounds	% of all staff retiring	% of total workforce
2004	6	14	0.6
2005	5	15	0.5
2006	8	24	0.8
2007	4	8	0.4
2008	9	21	0.8

### NORTHERN IRELAND FIRE AND RESCUE SERVICE

Year	Staff retiring on health grounds	% of all staff retiring	% of total workforce
2004	36	54	1.7
2005	31	65	1.5
2006	29	62	1.4
2007	18	78	0.8
2008	13	35	0.6

## Addiction to Gambling

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety if the Department has any statistics on the number of people who suffer from addiction to gambling and to outline what help is offered to them through his Department. (AQW 8727/09)

**The Minister of Health, Social Services and Public Safety:** No information is available centrally on the numbers of people being treated for gambling addiction related illnesses. There is no record of patients receiving

treatment solely for a gambling addiction although those patients with a co-existent mental illness or alcohol problem may receive therapy for gambling as part of their treatment.

### **Nurses Working in Northern Ireland**

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety (i) how many nurses working in Northern Ireland were trained in Northern Ireland; and (ii) how many were trained in the rest of the UK.

(AQW 8731/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is not held centrally and could only be provided at disproportionate cost.

### **Nursing Profession**

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail the number of non UK nationals who are working in the nursing profession; and how many of these are from the Republic of Ireland.

(AQW 8753/09)

**The Minister of Health, Social Services and Public Safety:** The information requested is not held centrally and could only be obtained at disproportionate cost.

### **Hygiene Inspections for Hospital Wards**

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what measures he is introducing to ensure that the hygiene inspections for hospital wards are carried out on time, and that the results are displayed at the entrance to the wards.

(AQW 8754/09)

**The Minister of Health, Social Services and Public Safety:** As part of dealing with the wider issue of hygiene, my Department is finalising the 2009-2011 Regional Action Plan for tackling healthcare associated infections and is considering the need to publicly display key performance information including environmental cleanliness which is one aspect of hygiene.

The Department's Cleanliness Matters Toolkit recommends the frequency of cleaning and frequency of audits of environmental cleanliness. Work to review the Cleanliness Matters Strategy will begin in September 2009 and will consider the performance measurement arrangements for cleaning and audits of environmental cleanliness.

### **Surgical Instruments Left Inside Patients' Bodies**

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety how many instances of surgical instruments being left inside patients' bodies after surgery have been recorded in each of the last five years.

(AQW 8755/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of recorded instances of surgical instruments being left inside patients' bodies after surgery in each of the last five years is not available.

### **Banbridge: Community Health Village**

**Mr O'Dowd** asked the Minister of Health, Social Services and Public Safety what the status is of the proposed plans to build a Community Health Village in Banbridge, and if a start date has been confirmed. (AQW 8757/09)

**The Minister of Health, Social Services and Public Safety:** Work on the development of the Banbridge Community Health Village commenced in 2004 and all of the projects located in the Health Village have been completed and are operational apart from the proposed Health and Care Centre and Day Centre.

The Business Case for this is currently being finalised.

### Agency Nursing Staff

**Lord Browne** asked the Minister of Health, Social Services and Public Safety to detail the costs of employing agency nurses in each of the Health and Social Care Trusts in each of the last three years. (AQW 8762/09)

**The Minister of Health, Social Services and Public Safety:** I refer the member to the answer I gave to AQW 7291/09.

### Charges for Wigs

**Mr Doherty** asked the Minister of Health, Social Services and Public Safety to outline his Department's policy on charges for wigs for patients undergoing treatment for cancer and other conditions which result in hair loss; and to explain why £50 is charged for a wig at Altnagelvin Hospital and not in at least one other Health Board area. (AQW 8763/09)

**The Minister of Health, Social Services and Public Safety:** Charges for wigs were introduced in 1971 under the Health Service Charges Regulations 1971. These charges reflect the long standing principle that those who can contribute towards the cost of the appliance they need should do so. Policy in this area is common throughout the health service.

Hospital inpatients are exempt from charges, as are children, students, and war pensioners. Day patients and outpatients are not entitled to exemption from charges but may qualify for exemption or assistance if they are on low income.

The Western Health and Social Care Trust holds a contract that includes a catalogue of wigs paid for by the Trust. A patient is only charged if they request a wig outside of the contract list.

### Psychiatric and Cognitive Treatments

**Mr O'Dowd** asked the Minister of Health, Social Services and Public Safety why out-patients receiving psychiatric and cognitive treatments are forced to change psychiatrist and cognitive therapist when they reach 65 years of age. (AQW 8766/09)

**The Minister of Health, Social Services and Public Safety:** Outpatients receiving psychiatric and cognitive treatments are not necessarily required to change psychiatrist or cognitive therapist when they reach age 65. It is considered good mental health practice not to treat patients on the basis of chronological age but in relation to their clinical needs.

On approaching the age of 65 (or earlier if appropriate) a patient/client receiving mental health services should have a review assessment to determine their future healthcare needs. If deemed appropriate, care should continue to be provided beyond the age of 65 by the clinical team already providing care. Alternatively, it may be more appropriate to initiate transition arrangements with services for older people. This may be for reasons of increasing physical frailty or early onset of organic conditions such as Alzheimer's disease for which the latter service would be more appropriate. In all circumstances, the clinical needs of the individual patient/client should be the determining factor in the delivery of healthcare.

### Adults with a Disability

**Mr Doherty** asked the Minister of Health, Social Services and Public Safety what discussions he has had with the Minister for Employment and Learning, to develop an inter-departmental strategy to ensure that the holistic needs, including care, respite and training, of adults with a disability are being fully met. (AQW 8767/09)

**The Minister of Health, Social Services and Public Safety:** I chair an interdepartmental group on Mental Health and Learning Disability to co-ordinate the Executives response to the Bamford Review. Issues relating to access to training and employment for people with a mental health need or a learning disability have been considered by that group. Subject to Executive approval, I expect to publish a Bamford Action Plan 2009-2011 shortly. It will contain commitments to action in relation to a wide range of issues affecting people with a mental health need or a learning disability, including training and employment, as well as care services and access to respite.

### Adults with a Disability

**Mr Doherty** asked the Minister of Health, Social Services and Public Safety for his assessment of the provision of respite care and training service for adults with a disability in the Strabane District Council area; and if he has any plans to increase the provision. (AQW 8768/09)

**The Minister of Health, Social Services and Public Safety:** Whilst my Department is currently undertaking work to provide a clearer and fuller picture of current and future respite provision, it is up to individual Trusts to use the money allocated to each programme of care as they see fit since they are more able to identify from a local perspective where funding should be targeted. A range of training opportunities are offered in the Strabane District Council area and the Trust is involved in ongoing discussion with the HSC Board regarding the need to increase service options which are flexible in their response to need.

Investing in learning disability services remains one of my top priorities, and I have made available additional funding of £33m over the 3 year period from 2008-2011. I fully intend, subject to available funding, to continue to invest in learning disability services in line with the recommendations of the Bamford Review. However, I must stress, that the Bamford Review recognises that it will take between 10 and 15 years to drive the changes which are needed.

### Adults with a Learning Disability

**Mr Doherty** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the Western Health and Social Care Trust's decision not to renew, or have new contracts with learning providers for adults with a learning disability, with particular emphasis on the Strabane District Council area; and (ii) and what steps will he take to ensure that the training needs of local adults with a learning disability are fully met. (AQW 8769/09)

**The Minister of Health, Social Services and Public Safety:** The Western Trust has a range of training services in place in the Strabane District Council area. In addition there are plans for the Trust, working in partnership with the Department for Employment and Learning and the Community and Voluntary Sector, to explore options to increase training and employment opportunities for people with a learning disability. This work is at an early stage. The Trust has assured me that it continues to work towards meeting the training needs of local adults within available resources.

### Mullinure, St Lukes and Longstone Hospital Sites

**Mr Brady** asked the Minister of Health, Social Services and Public Safety if he is aware of the concerns about the way in which the public consultation on the Mullinure/St Lukes and Longstone Hospital sites was conducted, the quality of information published by the Southern Health and Social Care Trust, and the consideration given by the Trust to the consultation responses. (AQW 8771/09)

**The Minister of Health, Social Services and Public Safety:** I am content that the public consultation carried out by the Southern Health and Social Care Trust complied with relevant legislation and its own equality scheme.

The Trust reviewed each response it received and the key themes were incorporated into developing its final proposal, which was submitted to the Trust Board for consideration. Once cleared by the Trust's Board, the proposals were forwarded to my Department for consideration.

I announced my decision on the Trust's proposals on 9 July; I can assure you that in making that decision, the interests of patients and their families remained uppermost in my mind.

### Mullinure Hospital

**Mr Brady** asked the Minister of Health, Social Services and Public Safety for his assessment of the case made by the Southern Health and Social Care Trust for the closure of Mullinure Hospital; and if he will give an assurance that the hospital will not be closed purely on financial grounds. (AQW 8772/09)

**The Minister of Health, Social Services and Public Safety:** It should be noted that there are no plans to close Mullinure Hospital. The Southern Health and Social Care Trust proposes that Mullinure will no longer



provide non-acute inpatient beds however it will become a local centre for specialist services for older people; it will therefore continue to provide a very valuable resource in supporting the needs of older people in the Armagh area.

It is also important to bear in mind that no final decision has yet been made. I can assure you that in making that decision, the care of older people, delivered to the highest standard and in the most appropriate setting, will remain a key priority.

### Mullinure Hospital

**Mr Brady** asked the Minister of Health, Social Services and Public Safety if he is aware that the proposed model of combining the dementia unit and the rehabilitation unit at Mullinure Hospital was rejected because “it would not address a serious concern regarding the difficulty of sustaining in-hours medical cover into the future”; and if he will review how the Southern Health and Social Care Trust applied this statement of principle to the closure of the hospital. (AQW 8773/09)

**The Minister of Health, Social Services and Public Safety:** It should be noted that there are no plans to close Mullinure Hospital. The Southern Health and Social Care Trust proposed that Mullinure would no longer provide non-acute inpatient beds; however, it will become a local centre for specialist services for older people and will therefore continue to provide a very valuable resource in supporting the needs of older people in the Armagh area.

When making its proposals, the Trust seriously considered the additional option of a combined inpatient unit for dementia assessment and non-acute hospital care for older people at Mullinure Hospital. The viability and relative merit of this option was discussed with medical colleagues specialising in psychiatry and geriatric medicine, and with nursing colleagues, and it was agreed that the option would not address the in-hours medical cover issues and staffing requirements.

I announced my decision on the Trust’s proposals on 9 July. I can assure you that in making that decision, the care of older people, delivered to the highest standard and in the most appropriate setting, remained a key priority.

### Mullinure Hospital

**Mr Brady** asked the Minister of Health, Social Services and Public Safety if he is aware that the Southern Health and Social Care Trust was advised, in March 2009, that the main issue of concern regarding Mullinure Hospital was in-hours medical cover; and for his assessment of the Trust overlooking this issue in the consultation process yet it now claims that it was a driving factor in the hospital’s closure. (AQW 8774/09)

**The Minister of Health, Social Services and Public Safety:** It should be noted that there are no plans to close Mullinure Hospital. The Southern Health and Social Care Trust proposed that Mullinure would no longer provide non-acute inpatient beds; however, it will become a local centre for specialist services for older people and will therefore continue to provide a very valuable resource in supporting the needs of older people in the Armagh area.

I have been assured that the Trust’s consultation exercise took full account of the provision of appropriate in-hours medical cover.

### Mullinure Hospital

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety, given that the Southern Health and Social Care Trust stated in March 2009 that the Trust is committed to removing barriers to access to its services, and will continue to focus on enabling all users to have equality of access to services and care, if he will review how the Trust has applied this to the case of Mullinure Hospital. (AQW 8775/09)

**The Minister of Health, Social Services and Public Safety:** I am content that the public consultation carried out by the Southern Health and Social Care Trust complied with relevant legislation and principles regarding accessibility and equity. The Trust’s proposals for the range and scope of community services for older people contain measures to ensure continued equity and access for all patients.

I announced my decision on the Trust's proposals on 9 July. I can assure you that in coming to my decision, the care of patients, delivered to the highest standard and in the most appropriate setting, remained a key priority.

### St Luke's Hospital

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety, following the removal of the provision of acute mental health services at St Luke's by the Southern Health and Social Care Trust, for his assessment of the Trust's capacity and flexibility to deal with increasing mental health needs or unforeseen circumstances. (AQW 8776/09)

**The Minister of Health, Social Services and Public Safety:** Bamford recommended that acute mental health services should be offered in a range of settings and not solely within in-patient settings. The Southern Health and Social Care Trust has already invested £2m over the last 3 years in home treatment and liaison services, with additional investment planned in the current year in day hospitals and other community based services.

This development of a range of mental health services allows for a "stepped care" model of mental health care which ensures that clients have rapid access to the most appropriate level of care and/or intervention. It also ensures that whilst some elements of the model are provided on a 'centralised' basis, the majority of care is provided in the patient's own locality and wherever possible in the patient's own home. This will mean that patients only remain in in-patient care for the shortest period required, with a carefully managed "step-down" process to Crisis Response and Home Treatment teams, and Mental Health resources for day treatment.

### St Luke's Hospital

**Mr Boylan** asked the Minister of Health, Social Services and Public Safety what actions he is taking to ensure that the pool of expertise and experience in mental healthcare at St Luke's Hospital will not be lost to the Armagh area. (AQW 8777/09)

**The Minister of Health, Social Services and Public Safety:** The Southern Health and Social Care Trust is currently undertaking a skills audit of all the staff within St Luke's to inform the development of a redeployment plan. This process will be carefully managed so that staff are retained within the current settings on the St Luke's site during the centralization of acute services and resettlement period so that the Trust can maintain safe and effective care.

There will be job opportunities created on the St Luke's site as it will be the location for a range of specialist Community Mental Health services. It is presently the location for Community Addictions and Community Forensic Mental Health services. It is anticipated these services will be further developed in the next few years, including the appointment of specialist practitioners in personality disorder and autistic spectrum disorder. The Trust is also considering the relocation of the community eating disorder service from Lurgan to Armagh. The Trust will ensure that existing staff are facilitated in terms of access to new job opportunities within mental health.

### Fertility Services

**Mrs Long** asked the Minister of Health, Social Services and Public Safety how many Health and Social Care Trusts provide secondary and tertiary fertility services; and, of those, how many have a fertility nurse adviser working in the Trust area. (AQW 8792/09)

**The Minister of Health, Social Services and Public Safety:** All Trusts provide secondary level fertility services. Tertiary level services for Northern Ireland are provided by the Belfast Trust at the Regional Fertility Centre.

All Trusts have been provided with funding for part time fertility nurse advisers as an integral part of their fertility treatment service provision. Two Trusts have the enhanced service in place. The other three are in the process of introducing it.

### Fertility Counselling Services

**Mrs Long** asked the Minister of Health, Social Services and Public Safety to outline the availability of fertility counselling services in each Health and Social Care Trust area. (AQW 8794/09)

**The Minister of Health, Social Services and Public Safety:** Counselling services are an integral part of fertility treatment and it is for commissioners and trusts to ensure that they are readily available where and when needed.

The Infertility Counselling Service, which is currently contracted to provide counselling sessions, has offices in Belfast; they also come to the Regional Fertility Centre on occasion to deliver sessions. These sessions are available to patients from across Northern Ireland. The Infertility Counselling Service is exploring the possibility of providing sessions in Cookstown, Omagh and/or Altnagelvin.

In September 2006 my predecessor announced an additional £50k per annum to improve the accessibility of counselling services within fertility services and this is being utilised to provide extra services including fertility nurse advisers in each Trust providing secondary and tertiary fertility services (though not all are yet in post). Funding has also been provided to Infertility Network UK to provide information and support to patients.

### Prescription Charges for Medical Contact Lens Solution

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety to outline his Department's policy on prescription charges for medical contact lens solution. (AQW 8807/09)

**The Minister of Health, Social Services and Public Safety:** Contact lens solutions are not currently available on health service prescription. Prior to April 2009 they were, incorrectly, available on prescription to patients with certain eye conditions (conditions where contact lenses were the only form of correction suitable, rather than glasses), usually for patients attending a hospital eye clinic. It has recently come to light that contact lens solutions are classified as medical devices. Medical devices can only be provided on prescription if they are listed in the NI Drug Tariff. As contact lenses solutions are currently not included on the Drug Tariff they cannot be provided on prescription. I understand that the non provision of contact lenses solution on prescription has been the policy position in the rest of the UK for several years.

### Cervical Smear Tests

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety how many cervical smear tests were carried out in each Health and Social Care Trust, in each of the last three years. (AQW 8811/09)

**The Minister of Health, Social Services and Public Safety:** The number of cervical smear tests analysed by laboratories in each Health and Social Care Trust in each of the last three years is presented in the table below.

HSC Trust	Financial Year		
	2006/07	2007/08	2008/09
Belfast HSC Trust	48,185	56,463	59,440
Northern HSC Trust	29,661	31,557	36,157
Southern HSC Trust	28,651	30,137	34,357 <sup>1</sup>
South Eastern <sup>2</sup> HSC Trust	n/a	n/a	n/a
Western HSC Trust	21,458	24,156	24,844
Northern Ireland Total	127,955	142,313	154,798

1: Projected figure for Southern HSC Trust for 2008/09.

2: Smears from women resident in the South Eastern Trust area are sent to the Belfast HSC Trust for analysis.

### Ward Hygiene Audits

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if he will reconsider his position on the publication of ward hygiene audits at the entrance to each ward. (AQW 8815/09)

**The Minister of Health, Social Services and Public Safety:** As part of dealing with the wider issue of hygiene, my Department is finalising the 2009-2011 Regional Action Plan for tackling healthcare associated infections and is considering the need to publicly display key performance information including environmental cleanliness which is one aspect of hygiene.

The Department's Cleanliness Matters Toolkit recommends the frequency of cleaning and frequency of audits of environmental cleanliness. Work to review the Cleanliness Matters Strategy will begin in September 2009 and will consider the performance measurement arrangements for cleaning and audits of environmental cleanliness.

### Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what his Department is doing to lower the incidence of mis-diagnosis of epilepsy. (AQW 8817/09)

**The Minister of Health, Social Services and Public Safety:** The diagnosis of epilepsy is a clinical one, and within the health service we have highly trained and skilled clinicians who have the expertise to see and assess people who may have epilepsy. Making a definitive diagnosis may, however, be difficult, as there are about 40 different types of epilepsy and there is no one specific diagnostic test.

In January 2009, I announced £220,000 additional recurrent funding to strengthen our existing regional paediatric neurology services. This will provide for a paediatric neurology nurse and a regional paediatric neurology multidisciplinary team. It will also allow for improved access to MRI sessions which will strengthen our diagnostic capabilities. A 3rd paediatric neurologist is due to take up post at the Belfast Trust in September of this year. The Belfast Trust is also initiating the recruitment of a paediatric neurologist with an interest in neuro-rehabilitation.

A review of adult neurology services was carried out by the Department and the results of that review were published in 2002. In relation to epilepsy, that review recommended additional epilepsy nurses and the establishment of epilepsy clinics in each Board area.

The Department has asked the Health and Social Care Board to carry out a full and comprehensive evaluation of the implementation of the recommendations of the 2002 Review and report findings to the Department by 31 March 2010. In parallel with this process, the Department will review the continued relevance of the recommendations in light of any professional or other guidance which has been issued since their publication. The results of this evaluation will inform the Department as to whether or not further changes to service provision are now required.

### Fire and Rescue Service

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if he will consider appointing an independent adviser for all matters concerning the Northern Ireland Fire and Rescue Service. (AQW 8818/09)

**The Minister of Health, Social Services and Public Safety:** I refer the Member to the answer I gave to AQW 6849/09 on 6 April.

### General Dental Services

**Mr Gallagher** asked the Minister of Health, Social Services and Public Safety if his Department has a policy on patients charges for registration with a dentist under General Dental Services, and if so to specify what the policy is. (AQW 8853/09)

**The Minister of Health, Social Services and Public Safety:** My Department's policy is that no patient should be required to pay to register with a dentist under General Dental Services. This is set out in the Dental Charges



Regulations (NI) 1989 and General Dental Services Regulations (NI) 1993 which govern the provision of General Dental Services.

### Compensation After Surgery

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety what compensation was issued to the patient in each of the instances where surgical implements were left inside the patient's body during surgery. (AQW 8865/09)

**The Minister of Health, Social Services and Public Safety:** Further to my response to AQW 8755/09, information on compensation issued to patients as a result of surgical instruments being left inside the patient's body after surgery is not available.

### Co-operation and Working Together

**Dr Deeny** asked the Minister of Health, Social Services and Public Safety how much of the money made available by Cooperation and Working Together is being utilised to "provide a range of additional out patient clinics across the following specialties: general medicine, dermatology, rheumatology, haematology, neurology, ENT, ophthalmology, gynae including urodynamics and colposcopy, paediatrics, orthopaedic including fractures, chronic pain and urology" as promised in the Western Health and Social Care Trust's Patient Information leaflet entitled Tyrone County Hospital - Transition of Acute Medical Services and distributed to all of our patients in March 2009. (AQW 8869/09)

**The Minister of Health, Social Services and Public Safety:** I am advised that the Western Health and Social Care Trust has, as set out in its leaflet "Tyrone County Hospital – Transition of Acute Medical Services", increased the number of outpatient clinics at the Tyrone County Hospital. However, the Trust has advised that none of the additional clinics are funded by Cooperation and Working Together.

### Duchenne Muscular Dystrophy

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what steps he is taking to ensure that all people diagnosed with Duchenne muscular dystrophy are given immediate access to new drugs and treatments. (AQW 8887/09)

**The Minister of Health, Social Services and Public Safety:** The introduction of new drugs and treatments, including those for Duchenne muscular dystrophy, is a matter for the Health and Social Care Board, supported by the Public Health Agency as service commissioners. In determining its priorities for funding, the Board and Agency will take into account local circumstances, the strategic objectives established for the Health and Social Care (HSC) sector and demands and pressures generally for access to a wide range of new effective drug therapies and treatments.

My Department has established a link with the National Institute for Health and Clinical Excellence (NICE) whereby all guidance published by NICE from 1 July 2006 is reviewed locally for its applicability to Northern Ireland and, where appropriate, is endorsed by the Department for implementation in Northern Ireland. Any new guidance published by NICE in respect of new treatments for Duchenne muscular dystrophy will be considered under these arrangements.

### Duchenne Muscular Dystrophy

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what steps he is taking to ensure that all people diagnosed with Duchenne muscular dystrophy are supported by a centre of excellence within fifty miles of their home which is capable of delivering internationally agreed standards of care and support. (AQW 8888/09)

**The Minister of Health, Social Services and Public Safety:** High quality care for children and adults with neuromuscular diseases is currently provided at the Belfast Neuromuscular Clinic, located at Belfast City

Hospital. The clinic is multi-disciplinary and, in addition to Muscular Dystrophy, also deals with other acquired muscle and nerve disorders.

Specifically in relation to the provision of a centre of excellence, as advocated by Action Duchenne in their document 'Race against Time', I can advise that officials from my Department have had an initial meeting with Action Duchenne to discuss how services for sufferers from this condition can be enhanced.

A further meeting is scheduled for early autumn. This will provide an opportunity to explore all of the proposals set out in their campaign document.

### **Duchenne Muscular Dystrophy**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what steps he is taking to ensure that the appropriate care pathways and services are in place for young people with Duchenne muscular dystrophy to have a smooth transition to adulthood. (AQW 8891/09)

**The Minister of Health, Social Services and Public Safety:** Care pathways are in place to ensure that people with Duchenne Muscular Dystrophy are assessed by multidisciplinary teams and appropriate services such as physiotherapy, domiciliary support, community nursing support, respite, speech and language therapy and occupational therapy, are provided on a person-centred basis to meet their individual needs. Health and Social Care Trusts provide for a smooth transition to adulthood by ensuring good communication and joint working between children's and adult services, relevant schools, Allied Health Professionals and voluntary sector partners; for example, a transitions service is provided by the Cedar Foundation. The central tenet of the transitions process is to enhance the quality of life for young people with physical and/or sensory disabilities by promoting meaningful inclusion, independence, choice, responsibility and participation.

In addition, in February this year I announced an investment of £9m over three years to improve community services and support for children with complex physical needs and their families. This will help to facilitate the development of individual care packages based on assessment of need.

### **Duchenne Muscular Dystrophy**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what action he is taking to address the huge gap in terms of special care services, for people diagnosed with Duchenne muscular dystrophy. (AQW 8899/09)

**The Minister of Health, Social Services and Public Safety:** Each person with Duchenne Muscular Dystrophy is individually assessed by a multidisciplinary team to determine the appropriate specialist services required to address their specific needs. People with this condition have access to the full range of services available to those with a physical and/or sensory disability, which include: physiotherapy, residential and nursing care, domiciliary support, community nursing support, respite, speech and language therapy, occupational therapy and day support. In addition, their carers are also offered a Carer's Assessment to determine their individual needs. My Department is currently developing a Physical and Sensory Disability Strategy, which will be subject to public consultation and will provide a broad strategic framework for the further development of services to help all people with physical and/or sensory disabilities lead as full and inclusive lives as possible in society.

### **Duchenne Muscular Dystrophy**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety if he will set aside funding for a research facility centre to allow new drugs for people diagnosed with Duchenne Muscular Dystrophy to be administered and monitored effectively and safely. (AQW 8914/09)

**The Minister of Health, Social Services and Public Safety:** High quality care for children and adults with neuromuscular diseases is currently provided at the Belfast Neuromuscular Clinic, located at Belfast City Hospital. The clinic is multi-disciplinary and, in addition to Muscular Dystrophy, also deals with other acquired muscle and nerve disorders.

At national level, there are major centres of research into muscular dystrophy in London and Newcastle. Clinical practice here will be informed by any advances made at these national centres.

Specifically in relation to the provision of a centre of excellence, as advocated by Action Duchenne in their document 'Race against Time', I can advise that officials from my Department have had an initial meeting with Action Duchenne to discuss how services for sufferers from this condition can be enhanced. A further meeting is scheduled for early autumn. This will provide an opportunity to explore all of the proposals set out in their campaign document.

### **Duchenne Muscular Dystrophy**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety if he plans to appoint a paediatric consultant with expertise in Duchenne Muscular Dystrophy as a matter of urgency. (AQW 8915/09)

**The Minister of Health, Social Services and Public Safety:** High quality care for children and adults with neuromuscular diseases is currently provided at the Belfast Neuromuscular Clinic, located at Belfast City Hospital. The clinic is multi-disciplinary and, in addition to Muscular Dystrophy, also deals with other acquired muscle and nerve disorders.

I can advise you that the Belfast Trust recently appointed a third consultant in paediatric neurology and we expect that person to take up post in September of this year. I understand the individual concerned has experience of working with neuromuscular disease.

In addition, officials from my Department will meet again with Action Duchenne in September to discuss how the care pathway for sufferers of Duchenne Muscular Dystrophy can be further enhanced.

### **Review of Public Administration**

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety if re-employment opportunities exist in the Health Service for ex-employees who have taken voluntary early retirement under the Review of Public Administration. (AQW 8916/09)

**The Minister of Health, Social Services and Public Safety:** Employees who have left the Health and Social Care under the Review of Public Administration Voluntary Early Retirement Scheme should have no expectation of re-employment in the HSC.

### **Mullinure Hospital**

**Mr D Bradley** asked the Minister of Health, Social Services and Public Safety if he will ensure that additional capital expenditure is included in a full economic and financial appraisal of options for the future of Mullinure Hospital before he takes a decision on its future; and if he will make the information from the economic appraisal available to Armagh City and District Council. (AQW 8928/09)

**The Minister of Health, Social Services and Public Safety:** As I have recently stated, the Southern HSC Trust proposes that Mullinure will no longer provide non acute inpatient beds but no final decision has been made. In order to support that decision, the Trust will be required to develop the proposal in a business case in line with Green Book guidance. That business case will examine the economic and financial implications of all options being considered.

The Trust has and will continue, where appropriate, to liaise with relevant stakeholders including Armagh City and District Council when developing their proposals.

### **NHS Dentists**

**Mr Easton** asked the Minister of Health, Social Services and Public Safety, following the announcement of £17 million investment to provide 38 additional dentists, when the new NHS dentists for Donaghadee and Bangor will be in place. (AQW 8929/09)

**The Minister of Health, Social Services and Public Safety:** Under the terms of the contract with Oasis Dental Care Ltd, new dental practices will open over a 12 month period, commencing in autumn this year.

### Alleged Child Abuse

**Mr Ford** asked the Minister of Health, Social Services and Public Safety if his Department has any plans to investigate any claims of alleged child abuse carried out in any institution in Northern Ireland. (AQW 8932/09)

**The Minister of Health, Social Services and Public Safety:** Within Northern Ireland, the statutory framework requires that where allegations of child abuse come to light these must be reported immediately to PSNI and Social Services for investigation. I would encourage anyone who has any information regarding any allegations of child abuse to report these immediately to the PSNI and Social Services for investigation so that perpetrators can be brought before the courts where this is appropriate.

Under current legislative procedures in Northern Ireland individuals who wish to work in a paid or unpaid capacity with children in a regulated position will be subject to pre-employment vetting procedures. Information regarding individuals who have harmed a child or placed a child at risk of harm will be considered with a view to placing that individual on a disqualification list thereby preventing them from working with children in the future. Individuals placed on disqualification lists have the right of appeal to the independent Care Tribunal.

The introduction of new Safeguarding Vulnerable Groups legislation later this year will further strengthen protection for children and vulnerable adults in workplace situations. These new safeguarding arrangements will help to meet Government's commitment to increasing public protection by significantly extending the range of activities and workplaces from which individuals may be barred from working with children and vulnerable adults. Consequently, many more individuals than at present who may pose a risk to children or vulnerable adults can be removed from the workplace.

My Department also intends to bring forward legislation next year to establish a regional, independently-chaired Safeguarding Board for Northern Ireland. The Board will ultimately replace the four non-statutory Area Child Protection Committees and will have a duty to make arrangements to safeguard the welfare of children and young people. There will be a duty for relevant agencies to make arrangements to safeguard and promote the welfare of children and to co-operate to improve the well being of children. This measure will strengthen further safeguarding arrangements within Northern Ireland.

### Childcare Groups

**Mr K Robinson** asked the Minister of Health, Social Services and Public Safety what departmental support is available to school age childcare groups. (AQW 8933/09)

**The Minister of Health, Social Services and Public Safety:** My Department does not provide support to school age childcare groups but acts as a funding conduit for monies secured for this sector by OFMDFM.

### Childcare Organisations

**Mr K Robinson** asked the Minister of Health, Social Services and Public Safety to detail funding provided to (i) preschool childcare organisations; and (ii) school age childcare organisations, in each of the last five years. (AQW 8934/09)

**The Minister of Health, Social Services and Public Safety:** My Department has provided support to the preschool childcare sector through PEACE II funding and has acted as a funding conduit for EU funding Peace measure 1.5 to the school age childcare sector. Funding to preschool groups under PEACE II started in 2001. By March 2006 the grants had been largely discharged.

The table below details funding provided to preschool childcare organisations and school age childcare organisations via my Department in each of the last five years.

Financial Year	Preschool childcare organisations funding	School age childcare organisations funding
2004/2005	£2,832,645	



Financial Year	Preschool childcare organisations funding	School age childcare organisations funding
2005/2006	£1,723,937	
2006/2007	£745,280	£696,000 (July 06 – March 07)
2007/2008	£30,714	£905,320
2008/2009	£34,815	£907,858

### Dress Code for Hospital Staff

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if instructions on dress code for hospital staff issued by his Department is advisory or mandatory. (AQW 8938/09)

**The Minister of Health, Social Services and Public Safety:** The Regional Dress Code Policy is guidance.

It was published by my department in February 2008 and issued to HSC Trusts by the CMO and CNO with the specific recommendation that the dress code policy should be implemented immediately.

### Prescription Deliveries

**Mr Brady** asked the Minister of Health, Social Services and Public Safety, with regard to prescriptions delivered to patients' doors, what protocols has his Department put in place to ensure that elderly people, who may find it difficult to get to the door, get their prescription. (AQW 8941/09)

**The Minister of Health, Social Services and Public Safety:** With regard to prescriptions delivered to patients, my Department has no protocols in place to ensure that the elderly, who may find it difficult to get to the door, get their prescriptions. However, as a first step the Board has sought to meet with the Pharmaceutical Contractors Committee (PCC), the representative body of community pharmacy in Northern Ireland to discuss this matter and to consider whether it could be addressed through the development and issuing of good practice guidelines.

Many pharmacies in Northern Ireland choose to offer and operate a free independent collection and delivery service for their patients on request. However, the Board does not commission delivery services nor do they remunerate pharmacists for the provision of such.

The Pharmaceutical Society for Northern Ireland have developed a Code of Ethics for pharmacists providing a collection and delivery service. The Code places a professional responsibility on a pharmacist to ensure that the patient or their carer knows how to use the prescribed medication safely, effectively and appropriately and to check that they are not experiencing adverse effects or compliance difficulties. The Code of Ethics also details that wherever possible a pharmacist should obtain a signature to indicate safe receipt of the prescribed medicine. Pharmacists who contravene the Society's Code of Ethics are subject to the Society's own disciplinary processes, the ultimate sanction being removal from the Register of Pharmacists.

### Macular Degeneration

**Mrs Long** asked the Minister of Health, Social Services and Public Safety what actions his Department is taking to increase staffing levels within the Mater Hospital's Macular Service to treat first eye Macular Degeneration patients. (AQW 8943/09)

**The Minister of Health, Social Services and Public Safety:** I have allocated additional funding of £39.1 million over the period 2008-2011 to improve access to new drugs and treatments, including Lucentis for wet age related macular degeneration. The Belfast Health and Social Care Trust is in the process of expanding its macular service to provide treatment with Lucentis in line with National Institute for Health and Clinical Excellence guidance, including recruitment of the necessary staff.

### **Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland**

**Dr Farry** asked the Minister of Health, Social Services and Public Safety to report on the responses to the Department's consultation on the Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland, including detailing the number and percentage of respondents who argued for a single piece of legislation rather than two separate bills. (AQW 8944/09)

**The Minister of Health, Social Services and Public Safety:** There have been 76 responses from a broad range of government, professional and voluntary organisations and a number of individuals. In total 27 respondents, which represent approximately 35% of responses received, indicated support for a single Bill encompassing both mental capacity and mental health provisions rather than in separate legislation.

### **Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland**

**Dr Farry** asked the Minister of Health, Social Services and Public Safety to outline (i) what conclusions his Department has drawn from the consultation on the Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland; and (ii) his plans for future legislation in this area. (AQW 8945/09)

**The Minister of Health, Social Services and Public Safety:** Public consultation on a 'Legislative Framework for Mental Capacity and Mental Health Legislation in Northern Ireland' was completed 31 March 09. The outcome of consultation is currently under consideration and a decision on future legislation will be taken by the Executive.

### **Frameworks for Minor Works Consultancy Services**

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety why an amendment was made to the pre-qualification questionnaire for Frameworks for Minor Works Consultancy Services to allow an architectural practice with four or more chartered members to reclassify as building surveyors. (AQW 8948/09)

**The Minister of Health, Social Services and Public Safety:** The amendment was made in order to recognise the fact that architectural practices may, in the course of everyday business, provide both architectural and building surveying services.

### **South Tyrone and Lurgan Hospitals**

**Mr D Bradley** asked the Minister of Health, Social Services and Public Safety to detail the expenditure incurred in the last twelve months to make non-acute in-patient facilities at South Tyrone and Lurgan Hospitals fit for purpose. (AQW 8962/09)

**The Minister of Health, Social Services and Public Safety:** The Southern HSC Trust has advised me that capital of £300k was spent at South Tyrone Hospital in 2008/09 although this was not related to any future service proposals. There was no capital expenditure at Lurgan Hospital over that period.

## **DEPARTMENT FOR REGIONAL DEVELOPMENT**

### **Northern Ireland Water**

**Mr McQuillan** asked the Minister for Regional Development how Northern Ireland Water is compliant with the working time directive as it has re-structured into three areas and has reduced staff thereby increasing the workload of the remaining staff. (AQW 5843/09)

**The Minister for Regional Development (Mr Murphy):** I have been advised by Northern Ireland Water (NIW) that the restructuring process was implemented following a review which identified the most effective and cost efficient delivery of services to customers. It includes the introduction of new ways of working which has resulted in the need for fewer staff. As there has been no increase in workload for those staff remaining, NIW is satisfied that it continues to monitor and improve controls on compliance with the Working Time Directive.

### Northern Ireland Water

**Mr McQuillan** asked the Minister for Regional Development if the welfare of staff has been taken into consideration in the re-structuring of Northern Ireland Water. (AQW 5844/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that the welfare of staff was considered a high priority during the implementation of its restructuring proposals. Detailed communication was undertaken with all directly affected employees on a wide range of issues including the rationale for the restructuring, new ways of working, grades and locations. In addition, extensive redeployment opportunities were offered within the company and volunteers were sought for early release schemes.

Throughout the process, employees had the opportunity to speak to a number of contacts within NIW who were made available to provide staff support and to address any concerns raised.

### Bus Lanes

**Mr Butler** asked the Minister for Regional Development to show how effective bus lanes have been in (i) increasing the number of people using public transport; and (ii) reducing the number of private cars being used on the roads. (AQW 8562/09)

**The Minister for Regional Development:** My Department's Ports and Public Transport Division has advised that in the autumn 2007 Passenger's Charter survey of bus users, 14% of Metro and 9% of Ulsterbus passengers indicated that they were encouraged to use buses due to the availability of bus lanes alone, or by bus lanes in conjunction with other factors, such as, increased frequency of buses.

It has also been highlighted, by my Department's Roads Service, that the increases in public transport usage cannot solely be attributed to the provision of bus lanes. There are many other factors involved which contribute to public transport becoming a more attractive alternative for non essential car users. These include:-

- the provision of bus shelters, many of which are equipped with real time passenger information;
- bus priority at a number signalised junctions, giving extra green time to buses which are running more than two minutes late; and
- park and ride facilities with dedicated bus services.

In addition to these factors, the introduction of Translink's Metro services has led to enhanced, more frequent services. The new accessible bus fleet is also a factor in the increase in the patronage of buses. The introduction of the concessionary fares scheme has also proved to be very popular.

Car ownership has been increasing by 4% per annum over the last few years, but it is not possible to assess the effect of the provision of bus lanes on this figure.

Nevertheless, it is recognised that the use of public transport makes very effective use of available road space. On the Lisburn Road for example, approximately 33% of people in transit during the morning peak period, travel on public transport. However, the buses account for only 2% of the traffic on the road at this time. My Department will therefore, continue to highlight these benefits and promote the use of public transport, in an effort to make it more appealing to non essential car users.

### Rapid Transport System: Belfast

**Mr Kinahan** asked the Minister for Regional Development, to outline the way in which the Belfast Rapid Transport Project is being advanced with particular reference to future upgrades in light rail. (AQW 8602/09)

**The Minister for Regional Development:** Rapid Transit Division within my department will be following the recommendations of the Strategic Outline Case in future-proofing the network, including making turning circles

available and ensuring gradients are not too steep to support a migration to light rail. One possibility for the future migration of the network would be the TVR (Transport sur Voie Réservée) approach, which uses a single track bus guidance mechanism.

There would, however, need to be a significant rise in passenger numbers to justify the migration to light rail in Belfast.

### Belfast Rapid Transport System

**Mr Kinahan** asked the Minister for Regional Development to outline the proposed forward work programme for the Belfast Rapid Transport System. (AQW 8603/09)

**The Minister for Regional Development:** Rapid Transit Division within my department has recently undertaken a market sounding exercise, which will be reported to me when complete, and will inform the detailed forward work programme of the division. This forward work programme will include a number of distinct projects, such as: Rapid Transit legislation, design and procurement of vehicles, design and procurement of infrastructure, and appointment of an operator.

### Rapid Transport System: Belfast

**Mr Kinahan** asked the Minister for Regional Development which recommendations of the Belfast Rapid Transport scheme Strategic Outline Case the Minister has not accepted. (AQW 8604/09)

**The Minister for Regional Development:** I accepted all the recommendations of the Strategic Outline Case and my decision to proceed to implementation was endorsed by the Executive in November 2008.

Rapid Transit Division within my Department are currently carrying out detailed survey work on all the route options to confirm the preferred routes identified in the Strategic Outline Case.

### Illegal Signage

**Mr B Wilson** asked the Minister for Regional Development (i) how many charges have been made Roads Service for the removal of illegal signage; and (ii) are the charges related to (a) voluntary; or (b) commercial organisations, broken down by Council area, in each of the last three years. (AQW 8623/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it is estimated that around 99% of the invoices to recover costs are issued to commercial organisations. Unfortunately, information is not available in an easily accessible format, to break the figures down by Council area.

The number of requests, or invoices that Roads Service has issued, for costs incurred, for the removal of illegal signage is set out in the table below.

Details of Invoices for Illegal Signage				
Year	06/07	07/08	08/09	Grand Total
Total	707*	1463	852	3,022

\* 06/07 year covers the period from Oct 06 - Mar 07 as Roads Service Debt function was centralised at this time.

I should further advise that the information in this table covers the period since October 2006, when details of payments in relation to illegal signage was centralised. Figures prior to this period are not available.

### South Antrim Constituency

**Mr Burns** asked the Minister for Regional Development to detail the work planned by Roads Service and NI Water to be carried out in the South Antrim constituency, in July and August 2009. (AQW 8637/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the following work will be undertaken in the South Antrim Constituency during July and August 2009:



- Traffic calming at Ollardale Park / Hawthorne Way, Ballyclare;
- replacement of street lighting at Toberdowney Park/Drive/Avenue/Gardens, Ballynure;
- replacement of street lighting at Downey Bungalows, Ballynure;
- replacement of street lighting at Manse Walk/Rise/Court, New Mossley;
- replacement of street lighting at Carn Green, New Mossley;
- erection of signage for cycle lane/track at Bridge Road/Hawthorn Road, Newtownabbey;
- construction of storm sewer and new footway at Park Road, Mallusk;
- construction of extension to M2 off slip lane to Scullions Road;
- carriageway resurfacing at Monkstown Road; Newtownabbey;
- carriageway resurfacing at Carnmoney Road, Newtownabbey,
- carriageway resurfacing at Mill Road, Ballyclare,
- carriageway resurfacing at Ransevyn Road, Whitehead;
- traffic Calming at Toome;
- traffic Calming in Rathenraw Estate, Antrim;
- construction of footway link at Clonboy Walk, Randalstown;
- carriageway resurfacing at Donegore Drive, Antrim;
- carriageway resurfacing at Rossvale, Antrim;
- carriageway resurfacing at Church Road, Randalstown;
- carriageway resurfacing at Massereene Street, Antrim;
- carriageway resurfacing at Old Lough Road, Antrim;
- carriageway resurfacing at Dublin Road, Antrim;
- carriageway resurfacing at Ballynoe Road, Antrim;
- carriageway resurfacing at Crosskeen Road, Antrim; and
- carriageway resurfacing at Bridge Park, Templepatrick.

Roads Service will also carry out routine maintenance work on roads in the South Antrim constituency during July and August 2009.

Northern Ireland Water has advised of the following work to be carried out in the South Antrim Constituency during July and August 2009:

- New and replacement watermain – Munie Road/Straidkilly, Larne;
- reservoir Rehabilitation Pre-inspection Programme – Newtownabbey, Carrickfergus;
- realignment of existing watermain, sewers and pumping main – A2 Shore Road, Carrickfergus;
- installation of pumps and control panel – Glenarm Sewage Pumping Station;
- completion of contract following installation of new foul sewer – Victoria Road, Ballyclare;
- Drainage Area Plan and replacement of overflow pipe to alleviate flooding problems – Joymount, Carrickfergus;
- Drainage Area Plan – Whitehouse, Carrickfergus;
- cleaning and repairs to storm system – Manse Road, Camross Park and Merville Mews, Newtownabbey;
- extension to foul and storm sewer – Antrim Road, Mallusk; and
- priority upgrades to Small Wastewater Treatment Works – Newtownabbey, Carrickfergus and Larne.

This work is in addition to the day-to-day maintenance and repair required to the water and sewerage network.

### Punctuality of Trains

**Mr Beggs** asked the Minister for Regional Development for an update on the punctuality records for trains from Belfast to (i) Greenisland; (ii) Carrickfergus; (iii) Whitehead; and (iv) Larne, in the last year.(AQW 8672/09)

**The Minister for Regional Development:** Translink have advised me that they do not record the punctuality of services at each individual station i.e. for arrival and departure. However, consistent with the Passenger's

Charter, they measure the punctuality of trains on each line of the rail network. The Larne line punctuality statistics are presented in the table below. A 26-week average figure is also provided. For reference, the punctuality target in the Passenger's Charter for the Larne line is that 95% of trains arrive no more than 5 minutes late.

**LARNE LINE PUNCTUALITY (PERCENTAGE OF TRAINS ARRIVING NO MORE THAN 5 MINUTES LATE)**

<b>Larne line punctuality 2008 – 2009</b>			
Period 1	96.83%	26 week average	93.76%
Period 2	95.41%	26 week average	94.55%
Period 3	96.98%	26 week average	95.16%
Period 4	96.73%	26 week average	95.57%
Period 5	96.33%	26 week average	95.95%
Period 6	96.53%	26 week average	96.49%
Period 7	93.33%	26 week average	95.95%
Period 8	92.11%	26 week average	95.44%
Period 9	91.79%	26 week average	94.48%
Period 10	96.83%	26 week average	94.45%
Period 11	95.89%	26 week average	94.41%
Period 12	96.74%	26 week average	94.45%
<b>Larne line punctuality 2009 – 2010</b>			
Period 1	98.14%	26 week average	95.20%
Period 2	96.86%	26 week average	95.94%
Period 3	97.91%	26 week average	97.08%

## Northern Ireland Water Grassed Areas

**Mr Weir** asked the Minister for Regional Development to detail (i) the total grassed area maintained by NI Water; and (ii) the total cost to NI Water of maintaining their grassed areas. (AQW 8687/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that it does not specifically maintain any grassed areas within its sites to lawn standard therefore it has no costs associated with the maintenance of such areas.

## Public Hire Taxis

**Mr Kinahan** asked the Minister for Regional Development to detail the findings, pertaining specifically to public hire taxis in Belfast, of any recent customer research surveys carried out on behalf of Translink. (AQW 8688/09)

**The Minister for Regional Development:** Translink has informed me that it has not carried out any customer research specifically relating to the issue of public hire taxis. However, a recent internal exercise carried out in association with Iarnród Éireann highlighted that some rail travellers had expressed concerns about taxi drivers touting for business at Central Station. This is an internal operational matter for Translink and I have no plans to publish this information.

## Central Railway Station

**Mr Kinahan** asked the Minister for Regional Development to detail any correspondence between his Department and the Department of the Environment and its agencies, with regard to problems caused by public hire taxis at Central Railway Station, Belfast. (AQW 8689/09)

**The Minister for Regional Development:** My Department's Roads Service is responsible for parking enforcement against vehicles, including public hire taxis, parked in contravention of waiting restrictions. This work is undertaken by Traffic Attendants employed by NSL Services Group (NSL), formerly NCP Services Ltd. When a vehicle is not parked in contravention of any marked restriction, but deemed to be causing an obstruction, the PSNI may take enforcement action.

I am advised that parking enforcement issues, including those relating to public hire taxis, are discussed at meetings between my Department's officials and various stakeholders, including the PSNI. The PSNI are also represented on the newly formed Belfast Taxi Forum that has been initiated by Roads Service.

## Public Hire Taxis

**Mr Kinahan** asked the Minister for Regional Development to detail any correspondence between his Department and its agencies, and the PSNI with regard to penalising public hire taxi drivers who block roads and footpaths. (AQW 8692/09)

**The Minister for Regional Development:** My Department's Roads Service is responsible for parking enforcement against vehicles, including public hire taxis, parked in contravention of waiting restrictions. This work is undertaken by Traffic Attendants employed by NSL Services Group (NSL), formerly NCP Services Ltd. When a vehicle is not parked in contravention of any marked restriction, but deemed to be causing an obstruction, the PSNI may take enforcement action.

I am advised that parking enforcement issues, including those relating to public hire taxis, are discussed at meetings between my Department's officials and various stakeholders, including the PSNI. The PSNI are also represented on the newly formed Belfast Taxi Forum that has been initiated by Roads Service.

## Public Hire Taxis

**Mr Kinahan** asked the Minister for Regional Development to detail any correspondence between his Department and its agencies, and National Car Parks with regard to penalising public hire taxi drivers who block roads and footpaths. (AQW 8694/09)

**The Minister for Regional Development:** My Department's Roads Service is responsible for parking enforcement against vehicles, including public hire taxis, parked in contravention of waiting restrictions. This work is undertaken by Traffic Attendants employed by NSL Services Group (NSL), formerly NCP Services Ltd. When a vehicle is not parked in contravention of any marked restriction, but deemed to be causing an obstruction, the PSNI may take enforcement action.

Appropriate and effective parking enforcement issues, including taxi enforcement, are discussed at regular meetings between Roads Service and NSL. In addition, NSL and my Department's officials have met with other relevant bodies, to specifically discuss taxi enforcement issues.

## Public Hire Taxis

**Mr Kinahan** asked the Minister for Regional Development what position his Department takes on public hire taxis parking outside official ranks and blocking traffic in Belfast. (AQW 8697/09)

**The Minister for Regional Development:** My Department's Roads Service is responsible for parking enforcement against vehicles, including public hire taxis, parked in contravention of waiting restrictions. This work is undertaken by Traffic Attendants employed by NSL Services Group (NSL), formerly NCP Services Ltd. When a vehicle is not parked in contravention of any marked restriction, but deemed to be causing an obstruction, the PSNI may take enforcement action.

Appropriate and effective parking enforcement, including public hire taxis enforcement, is discussed at regular meetings between Roads Service and NSL. In addition, NSL and my Department's officials have met with other relevant bodies, to specifically discuss taxi enforcement issues.

Roads Service has advised that public hire taxis, parking outside official taxi ranks, are subject to the normal waiting restrictions in force in that area. However, there are difficulties associated with issuing a Penalty Charge Notice (PCN) to public hire taxis that are parked in contravention of waiting restrictions. Generally, taxi drivers remain in, or close to, their vehicles and drive away when a traffic attendant approaches, before any enforcement has taken place.

### Free Parking for Drivers with Disabilities

**Mrs McGill** asked the Minister for Regional Development if there are any plans to introduce free parking for drivers with disabilities. (AQW 8712/09)

**The Minister for Regional Development:** My Department's Roads Service operates the Blue Badge Scheme, to assist those with mobility difficulties. The scheme allows holders of a valid blue badge, who display it properly, to park on-street, close to the facilities and services they need so as to improve their lifestyle, independence and freedom of choice.

More specifically by using the blue badge, when parking on public roads, holders can:-

- park in parking bays specifically marked for use by people with disabilities, which are generally provided next to the main shopping areas;
- park free of charge and without time limit on-street, where parking is charged for, unless a time limit indicates otherwise;
- park on single or double yellow lines for up to three hours except:-
  - where there is a ban on loading and unloading;
  - within the limits of a ticketed (pay and display) parking area; or
  - within 15 metres of a junction.

The legislation covering the Blue Badge scheme does not extend to off-street car parking. Generally, off-street car parks do not offer the same level of proximity to town or city centres as on-street parking facilities. Therefore, the demand for parking, from Blue Badge holders, in off-street car parks, is much lower. However, blue badge holders can park in the bays specifically marked for use by people with disabilities in Roads Service car parks. These bays are provided in all Roads Service car parks and are generally located at the main pedestrian exit and entrance points.

### Public Hire Taxis

**Mr Kinahan** asked the Minister for Regional Development if his Department has investigated the activity of public hire taxi drivers at Central Station, Belfast. (AQW 8725/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that parking enforcement issues, including those relating to the operation of public hire taxis at Belfast's Central Railway Station, are discussed at meetings between my Department's officials and our parking enforcement contractor, NSL Service Group (NSL). In addition, both NSL and my Department's officials have been working closely with other stakeholders, including DOE, PSNI and taxi representatives, in an attempt to resolve these issues.

### Ards Peninsula Road Maintenance

**Mr Shannon** asked the Minister for Regional Development how much money remains for the maintenance of roads in the Ards Peninsula; and when maintenance will be carried out to bring these to a reasonable standard.. (AQW 8729/09)

**The Minister for Regional Development:** My Department's Roads Service presented the 2009/10 Annual Programme of Works for the Ards Borough Council area on 22 June 2009. This report outlined an extensive range of works, for the entire Ards Borough Council area, amounting to expenditure of some £5.2 million.



The Structural Maintenance element of this expenditure is in the region of £2 million. All work will be completed in the 2009/10 financial year.

The Council report can be viewed online at:

[www.roadsni.gov.uk/index/publications/publications-council\\_reports.htm](http://www.roadsni.gov.uk/index/publications/publications-council_reports.htm)

Unfortunately, it is not possible to indicate how much of the maintenance expenditure for the Ards Borough Council area will go specifically to work in the Ards Peninsula.

### **Ballymena to Coleraine Railway Track**

**Mr G Robinson** asked the Minister for Regional Development if the re-lay of the Ballymena to Coleraine railway track came in on budget. (AQW 8745/09)

**The Minister for Regional Development:** Whilst the railway line did re-open as planned on Monday 29 June, the project is still in its latter stages of completion and final accounts are therefore not ready. Translink have advised, however, that all indications are that the project will come in within budget and is likely to be significantly ahead of timetable.

### **Parking Ticket Machines**

**Mr Hamilton** asked the Minister for Regional Development how many parking ticket machines there are in Northern Ireland. (AQW 8746/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that there are 471 pay and display machines used in our off-street car parks and on-street charging zones across the North.

### **Parking Ticket Machines**

**Mr Hamilton** asked the Minister for Regional Development to detail how many parking ticket machines have broken down in each of the last 5 years; and the cost to repair these problems. (AQW 8747/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that it does not retain information in a format that allows them to detail the number of pay and display machines that have experienced a fault in each of the last five years. However, Roads Service has advised that, in 2008, there were 402 machines that experienced at least one fault that rendered them out of order.

Maintenance of pay and display machines in a working condition is a Key Performance Indicator in Roads Service's contract with NSL Services Group (NSL). NSL's performance in this area is being measured against fault response times detailed in the contract and will be continually monitored by Roads Service. The total annual cost, paid to NSL for providing this service, is currently £247,670.64 or £525.84 per machine.

I am further advised that there have been several recent incidents when machines have been criminally damaged, and this may result in additional costs to my Department.

### **Flags in Bangor Town Centre**

**Dr Farry** asked the Minister for Regional Development to outline the level of complaints received regarding the erection of flags on Roads Service lampposts in Bangor Town Centre. (AQW 8789/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that they have not received any complaints from the public, in relation to flags on lampposts in Bangor Town Centre.

### **Flags in Bangor Town Centre**

**Dr Farry** asked the Minister for Regional Development what actions the Roads Service is taking to remove flags erected on lampposts in Bangor Town Centre without the permission of that agency. (AQW 8790/09)

**The Minister for Regional Development:** By way of background, I should explain that in April 2005 my Department's Roads Service signed up to the Government's multi agency protocol about the display of flags in public areas. Roads Service has, through written submissions and attendance at review meetings, contributed to the review of the "The Joint Protocol", initiated by OFMDFM in April 2008.

I understand that completion of the flags protocol review is subject to progress of work undertaken by OFMDFM, to review and refresh the current "A Shared Future" policy and "Racial Equality" strategy.

It is my view that the current protocols are outdated and need to be reviewed by all partner agencies and departments, including DSD, DOE, OFMDFM, DRD and the PSNI. I can also advise that I met Chief Constable, Sir Hugh Orde, PSNI, in relation to the role that the Police must play by way of enforcement, in addition to the work of other agencies, such as Roads Service.

The aim of the current protocol is to provide a pro-active approach, with the support of communities and their representatives, to address the removal of flags from arterial routes and town centres and from particular locations, such as interface areas, or near schools, hospitals and churches.

The protocol recognises that an effective resolution to the flags issue is more likely to be achieved through the co-operation of local communities. It will require widespread community support for the partnership established by the protocol to be effective. The Agency that is in the most effective position to consult, negotiate, or resolve the situation, will take the lead. The PSNI, where best placed, will do this. The PSNI will also take the lead where the display of flags is causing community tension, or is affecting the quality of life for a community.

Under the protocol Roads Service, when called upon by the lead Agency, will provide the access equipment and resources to remove unwanted flags, once agreement has been reached that they should be taken down, but the community cannot reach them easily.

Roads Service has advised that, in accordance with the current joint protocol, following receipt of your questions, Roads Service officials contacted the PSNI who advised that any action to remove these flags is unlikely to be successful at this time, and could lead to a proliferation of flags in the area.

### Flags In Bangor Town Centre

**Dr Farry** asked the Minister for Regional Development for the Roads Service's assessment regarding the level of community support or otherwise for the flags erected on lampposts in Bangor Town Centre. (AQW 8791/09)

**The Minister for Regional Development:** As outlined in my response to AQW 8790/09, my Department's Roads Service has signed up to the multi agency protocol about the display of flags in public areas, that was launched by the Government in April 2005. The protocol recognises that an effective resolution to the flags issue is more likely to be achieved through the co-operation of local communities. The Agency that is in the most effective position to consult, negotiate or resolve the situation, will take the lead.

As I have previously indicated, it is my view that, while the current protocols may achieve successful resolution to these flag issues in some areas, the current protocols are outdated and need to be reviewed by all partner agencies and departments, including DSD, DOE, OFMDFM, DRD and the PSNI.

On the matter of assessing the level of community support, Roads Service will take advice from its partners.

### Flags: Removal of

**Dr Farry** asked the Minister for Regional Development what protocols are in place for liaison with the Police Service of Northern Ireland with regard to seeking their assistance in removing flags from Roads Service property. (AQW 8793/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that under the terms of the current Joint Protocol, outlined in my response to AQW 8790/09, each partner has agreed to provide relevant and necessary information to other partner agencies, to support actions being taken in relation to flags issues.

In the case of liaison between Roads Service and the PSNI, contact is normally between the local street lighting engineer and a nominated senior officer in the appropriate PSNI District Command Unit.

### Portrush NI Railway Station

**Mr G Robinson** asked the Minister for Regional Development if he will be seeking an urgent meeting with Coleraine Borough Council to ensure that disabled toilet facilities at Portrush NI Railway Station are upgraded as a matter of priority. (AQW 8810/09)

**The Minister for Regional Development:** I do not intend to seek an urgent meeting with Coleraine Borough Council regarding the disabled toilet facilities at Portrush Railway Station. The toilet facilities at the Portrush station are the responsibility of Translink. My previous answer (AQW 8424/09) on this subject referred to advice provided by Translink that Coleraine Borough Council were considering a Masterplan for Portrush town. Translink have further informed me that the Masterplan proposes shortening the railway and moving the station back up the line approximately 250m to open up the sea front for amenities along that section of the town. Therefore, to avoid the risk of any nugatory spend, Translink are awaiting further details relating to this proposal. When these are received Translink will consider appropriate next steps.

### Flooding on Roads

**Mr Shannon** asked the Minister for Regional Development if his Department holds records of where flooding spots are on roads; and if there is a policy to draw up a work schedule to investigate and fix the problem areas. (AQW 8813/09)

**The Minister for Regional Development:** Responsibility for drainage infrastructure is shared between my Department and the Department of Agriculture and Rural Development through, Rivers Agency, Roads Service and Northern Ireland Water (NIW). These three agencies have formulated procedures, for liaison and co-ordination of the emergency response, resulting in the production of Best Practice Guidelines and Flooding Hotspots lists.

The combined flooding hotspots register includes a list of key flooding locations across the North, identified by NIW, Roads Service and Rivers Agency. The list also identifies the agency which should take the lead, during a flooding event, for each location. The combined flooding hotspots list is continually updated as new locations are reported, or problem locations rectified. However, the flooding problems at these locations are not always easy to resolve, as remedial work may be prohibitively expensive or the solution may not be immediately obvious and may require further investigation or consultation with other Departments or adjacent landowners.

In addition to the hotspots register, each Roads Service Section Office also identifies areas which are regularly affected by minor flooding in their area. A programme of works is prepared by each office to undertake remedial measures at the areas identified, on a priority basis.

### Translink: GPS Tracking System

**Mr McCallister** asked the Minister for Regional Development, pursuant to AQW 8472/09, if he will elaborate on his answer, addressing specifically why punctuality statistics from the GPS tracking system are not collected by Translink. (AQW 8848/09)

**The Minister for Regional Development:** I have nothing further to add to my earlier answer. I am informed by Translink that vehicles have been fitted with GPS equipment to identify fare stages for ticketing purposes. This does not constitute a vehicle tracking system.

### GPS Tracking System

**Mr McCallister** asked the Minister for Regional Development, pursuant to AQW 8500/09, if his answer indicates a response in the negative in relation to the question asked i.e. whether the road position of buses is sent to a central point by the GPS tracking system. (AQW 8850/09)

**The Minister for Regional Development:** I have nothing further to add to my earlier answers. I am informed by Translink that vehicles have been fitted with GPS equipment to identify fare stages for ticketing purposes. This does not constitute a vehicle tracking systems.

## Compensation Claims

**Mr G Robinson** asked the Minister for Regional Development what processes his Department has in place to deal with compensation claims for damage to private vehicles caused during road repairs. (AQW 8871/09)

**The Minister for Regional Development:** The process for dealing with compensation claims arising from damage to private vehicles caused during road repairs is the same for any claim arising from damage or injury on the road or footpath. The claim should be submitted, preferably using the Department's claim form, to the Department for Regional Development Central Claims Unit. The Unit investigates the claim and notifies the claimant of the result of that investigation.

If the road repairs were carried out by a Contractor on behalf of the Department, it is likely the claim would be referred to that Contractor because the contract contains a clause indemnifying the Department against claims arising from the Contractor's works.

This stage of the claim is the initial, informal and free of charge, stage of the legal process of suing the Department for breach of statutory duty. If the claimant is aggrieved by the Department's decision on the claim, that decision may be challenged in court through the next, formal, stage of the legal process.

## Gortcorbies Climbing Lane Project

**Mr G Robinson** asked the Minister for Regional Development for an update on the progress of the Gortcorbies climbing lane project. (AQW 8872/09)

**The Minister for Regional Development:** As the Member will be aware, My Departments Roads Service has been examining options for the appropriate disposal of the large volume of surplus material, which will result from the construction of the proposed scheme. It has proved very challenging to find a cost effective location for the disposal of this surplus material, within the Benevenagh Area of Outstanding Natural Beauty, and a solution has not yet been found.

In these circumstances, I am unable to provide a date for commencement of this scheme.

## Derry City Council Area: Car Parking Facilities

**Mr McCartney** asked the Minister for Regional Development to detail all car parking facilities under DRD ownership within the Derry City Council area. (AQW 8889/09)

**The Minister for Regional Development:** The table below lists the 14 public car parking facilities, within the Derry City Council area, which are owned by my Department:

DRD Car Parks in the Derry City Council area	
Alfred Street car park	Railway Station car park
Altnagelvin car park (Belt Road)	Shantallow Health Centre car park
Carlisle Road car park	Simpson's Brae car park
Claudy Market Yard car park	Spencer Road car park
Fahan Street car park (Lisfannon Park)	Strand Road car park
Foyle Road car park	Victoria Market car park
Queens Quay car park (North & South)	William Street car park

## Sewage Treatment Works

**Mr Ross** asked the Minister for Regional Development (i) in how many cases has NI Water been required to provide secondary treatment of sewage where the population served by the sewage treatment works was less than 10,000 people; and (ii) to detail all of the sewage treatment works where NI Water has provided secondary treatment in which the population served was less than 10,000. (AQW 8902/09)



**The Minister for Regional Development:** I have been advised by Northern Ireland Water that it has provided secondary treatment at 745 locations where the population equivalent served is less than 10,000. Details of all sewage works where NIW has provided secondary treatment are provided below.

Name of WwTWs	Name of WwTWs	Name of WwTWs
Abbacy Road	Cullaville	Leeke Road
Acton	Cullion (Bready)	Legacurry (Down)
Aghadrumsee	Cullyhanna	Legacurry (Tyrone)
Aghagallon	Cullyramer	Legaghory
Aghalee	Curglasson	Legatirriff
Aghanloo (1)	Curran	Leitrim (New)
Aghinlig	Darkley	Lessans
Aghnagar	Darragh Cross	Letterbin
Aghnaskew	Dartress	Letterbreen
Aghory	Davagh Park	Letterkeen
Agivey Road(199-201)	Deffrick	Limestone (2)
Aikens Town parks	Dempsey Park	Lisbarnet
Aird	Dernaflaw	Lisbellaw
Altamuskin	Derryaghna	Liscolman
Altishane	Derrycrin	Lisdoart (1)
Altmore	Derrygonnelly	Lisdoart (2)
Altnahinch	Derrygortrevy	Lisdown
Altnamackan	Derryhale	Lislea (NEW)
Annacloy	Derrykeighan	Lislea Terrace
Annaghugh	Derrylin	Lismoyle
Annaghmore	Derrymore	Lisnadill
Annahilt	Derrynoose	Lisnagalt
Annsborough	Derrytrasna	Lisnagunogue
Anville Crescent	Dervock	Lisnahall
Ardess	Desertmartin	Lisnakilly
Ardgarvan	Diamond Road(73-79)	Lisnalea
Ardground	Diviny	Lisnamuck (Coleraine)
Ardlough Road (40-42)	Doan Place	Lisnamuck (Magherafelt)
Ardress	Donagh	Lisnaragh
Ardstraw	Donagheady	Lisnarrick
Armoy	Donaghey (1)	Lisnaskea
Arney	Donaghey (2)	Lisnevanagh
Artasooly	Donaghmore	Lisnisk
Artigarvan	Donard View	Lisowan
Arvalee	Donemana	Locard Park
Ashfield (Dromore)	Donnelly Park	Longfield (Eglinton)
Attical	Donnybrewer	Longfield (Moorside Villas)

Name of WwTWs	Name of WwTWs	Name of WwTWs
Aughagash	Donnybrewer Road(99)	Longs Glebe
Aughakillymaud	Doogary	Lough Fea
Augher	Dooish	Lough Macrory
Aughil	Doorless	Lough Macrory
Aughnacleagh	Dorsy	Loughan Road (Tyrone)
Aughnacloy	Dougan place	Loughdian
Aughnavallog	Douglas Bridge	Loughgall
Ballee Road	Drapersfield	Loughguile
Ballee Road (75-83)	Draperstown	Loughries
Balleevy	Drennans Road(6)	Lower Ballinderry
Ballinderry Road (45-49) Antrim	Dromara Road (Lacken)	Lower Rashee Road (15-21)
Ballinlea Road(81)	Dromora	Luney
Ballinmallard	Dromore (Down)	Lurganare
Ballinrees	Dromore (Tyrone)	Lurgancahone Road(35-39)
Ballinteer	Dromore Highlands	Lurganville
Ballyagan	Drones	Macfin
Ballyardel	Drumagarner	Macosquin
Ballyavelin Road (133-135)	Drumagarner Road(212-218)	Madden
Ballybogie Road(7-9)	Drumalig Road(9-11)	Maghaberry
Ballybogy	Drumane	Maghera (Down)
Ballybrick	Drumaness	Maghera (L/Derry)
Ballycairn (Down)	Drumard (Antrim)	Magheracoltan
Ballycarry	Drumard (Tyrone)	Magherafelt Road(24-28)
Ballycassidy	Drumard Primate	Magherahoney
Ballycleagh	Drumaroad	Magheralin
Ballycorr Grove	Drumbeg	Magheramason
Ballycranbeg	Drumcroon	Magheramourne
Ballygarvigan	Drumenny	Magheraveely
Ballygawley	Drumflugh Road (75-77)	Maghernarhar
Ballygowan	Drumgay (1)	Maghera
Ballygowan Road(102-104)	Drumgay (2)	Maglion Terrace
Ballygowan Road(41-47)	Drumhillery	Managher
Ballygowans	Drumhirk	Manse Road (Antrim)
Ballygruby	Drumilly	Markethill
Ballyhacket	Drumintee	Marladoo Road
Ballyheather Road (121-123)	Drumkee	Martinstown
Ballyhome	Drumlegagh Church Road	Mayboy
Ballykelly (DOWN)	Drumlegagh Church Road (63-65)	Mayoghill
Ballykelly (L/Derry)	Drumlegagh Road South	McCandless Terrace

Name of WwTWs	Name of WwTWs	Name of WwTWs
Ballykinler	Drumlough	McCleary
Ballylintagh (New)	Drumman Hill	McKinley Park
Ballymacallion	Drummond	McNally Park(1-6)
Ballymacawley	Drumnacannon Road(20-22)	Meigh
Ballymacnab	Drumnaferry	Middletown
Ballymacormick	Drumnakilly	Milltown (Aghory)
Ballymaderphy	Drumnascamph	Milltown (Benburb)
Ballymagorry	Drumquin	Milltown (Burndennet)
Ballymaguigan	Drumraighland	Milltown (Maghera)
Ballymarlagh	Drumreagh	Milltown (Maghera)
Ballymiscaw road (37-41)	Drumshambo	Minterburn Road(115-117)
Ballymonie	Drumsurn	Moirra
Ballymoyer	Drumsurn Road (234-238)	Molenan
Ballynadolly	Drumullan	Monea
Ballynafie	Dunboe Road(75-77)	Moneybrannon Road(89)
Ballynagalliagh (Armagh)	Dundrod	Moneycanon
Ballynagard (Antrim)	Dundrum (Armagh)	Moneycarrie
Ballynahinch (Armagh)	Dundrum (Down)	Moneydig
Ballynahinch (Down)	Duneany	Moneyglass
Ballynamullan	Dungiven	Moneyneary
Ballynease	Dungonnell	Moneyneary
Ballyquinn	Dungorbery	Moneyreagh
Ballyrashane Road(37-39)	Dunloy	Moneyscalp
Ballyrock	Dunmullan	Moneyslane
Ballyronan	Dunnamore	Monmurry
Ballyrone Road	Dunnyboe Road (85-93)	Montieth
Ballyrussell	Dunronan Road(25-27)	Moorfield
Ballytrim	Dyan	Moorfields
Ballyutoag	Edencrannon	Moss-side
Ballyvarley	Edenderry (Antrim)	Mossvale Terrace
Ballyveely	Edenderry (Tyrone)	Mountain View (Tullymurry)
Ballyvelton Road(23)	Edendoit Road(107-109)	Mountcastle
Ballyvelton Road(45-51)	Edenmore Road	Mountfield
Ballyvoy	Edenreagh Road(39-41)	Mounthill
Ballywalter(Retention Tank)	Edergoole Road (87-89)	Mountjoy (Dungannon)
Bankside Shinn	Ederney	Mountjoy (Omagh)
Bar Hall	Eglish (Armagh)	Mountnorris
Beagh	Eglish (Tyrone)	Movenis Road(17)
Bearney Road(55-61)	Ervey Road	Moy

Name of WwTWs	Name of WwTWs	Name of WwTWs
Beech Hill South	Eskragh	Mulderg
Belcoo	Fallahogy	Mullaghbane (Forkhill)
Bellaghy	Farmacaffley	Mullaghglass (Antrim)
Bellany	Farranflugh	Mullaghglass (Newry)
Belleek (Armagh)	Feeny	Mullaghmore
Belleek (Fermanagh)	Ferris Bay (50)	Mullanahoe
Belleek Septic Tank	Feumore	Mullans (Antrim)
Bells Hill	Fincarn	Mullans (Fermanagh)
Beltrim	Fintona	Mullynaburtlan
Benburb	Fivemiletown	Mullyroddan
Benone	Florencecourt	Munie
Benvardin Road	Foffanybane	Murdocks Lane(1-6)
Beragh	Foreglen Road (51-53)	Myroe
Blackscull	Forkhill	Navery Road
Blackwatertown	Fourmile	Newmills
Blaney	Galbally	Newmills Road(70-72)
Boghill	Gallrock	Newry Road Rathfriland (80-83)
Boghill Road(52-54)	Garrison	Newtownbutler
Bohulkin	Garryduff Road(112- 122)	Newtown-Crommelin
Bolea	Garvagh	Newtownhamilton
Boleran Road (Garvagh)	Garvaghy	Newtownstewart
Bonds Glen Road (149-151)	Garvetagh	Nixons Corner
Bonds Glen Road (65-67)	Gilford	Noones Vale
Bonnanaboigh	Glack	Oghill (1)
Bovean	Glarryford	Old Green
Boveedy	Glasmullen	Oliver Plunkett Park
Bovevagh Road (37-41)	Glassdrumman (Armagh)	Orahilly Park
Brantry	Glassdrumman (Down)	Orritor
Bready	Glassdrummond	Orritor Craigs
Breaside Cottages(1-6)	Glen View (Down)	Owenbeg
Bregagh Road(56-58)	Glen Villas	Park
Bregagh Road(60-62)	Glenabbey	Parkgate
Bresagh	Glenavy	Plumbridge
Brisland Road(3-5)	Glenavy Road (Antrim)	Pomeroy
Broagh	Glenbush Road(31)	Pomeroy Road
Brockaghboy	Glenedra Road (109-111)	Portglenone
Brookeborough	Glenhead Road	Poundburn
Buckna	Glenmakeeran	Poyntzspass
Burnquarter	Glenmornan	Priestland



Name of WwTWs	Name of WwTWs	Name of WwTWs
Bush	Glenoe	Procklis
Bushmills	Glenstaghey Road(11)	Racavan
Cabragh	Gorran Road (84)	Randalstown
Caheney	Gortaclady	Rasharkin
Caledon	Gortatray	Rathfriland
Camus	Gortereghy	Ravarnet
Capecastle	Gortin (Tyrone)	Redford
Cappagh	Gortin Road(12)	Richill
Cargan	Gortnacross	Ringneill
Carmean	Gortnagross Road (38-40)	Ringneill Road(1-5)
Carnalbanagh	Gortnahey	Ringsend
Carnalea Road	Gortscreagan	Ritchies Villas
Carnan	Gosheden (1)	Riverside(16-20)
Carnanbane	Gosheden (2)	Robinsonstown
Carnbeg	Grange (Taylorstown)	Rock Cottages
Carneyhough	Grange Blundel	Rocktown
Carnlough Road	Grangemore	Rornashane
Carntee Road (122-124)	Greenan	Rosscolban
Carricklongfield Road (21-23)	Greenans	Rosscor
Carrickmore	Greencastle (Tyrone)	Rosslea
Carricknaveagh	Greenhill	Roughfort
Carrigenagh	Greenville	Rousky
Carrontreemall	Greyabbey	Saintfield
Carrowclare	Greysteel	Saval More Cottages
Carrowdore	Grove Park	Scribbagh
Carrowreagh Road(68-70)	Gulladuff	Seacon
Castle Archdale	Hamiltonsbawn	Seaforde
Castlecaulfield	Hazelbank	Seagahan
Castledawson	Hillsborough	Seskinore
Castlederg	Hillside Road(7-9)	Sherrigrim
Castlemellan Lower	Hilltown	Shinn Road
Castlemellan Upper	Hilltown Road	Shinny Road(20-22)
Castlenagree	Hooks Corner	Silverbridge
Castletown	Inishmagh	Sion Mills
Castlewellan	Irvinestown	Skernahergney
Castor Bay	Jennys Lane	Skerry View
Caugh Hill	Jonesborough	Slaght
Causeway Road(122)	Katesbridge	Soldierstown
Causeway Road(15)	Keady (Armagh)	Spamount

Name of WwTWs	Name of WwTWs	Name of WwTWs
Causeway Road(180)	Keady (Fermanagh)	Springfield
Cavanacaw	Keenaghan (1)	Springwell Crescent(1-6)
Cavanagrow	Keenaghan (2)	St Annes Terrace
Charlestown	Keenaghan (Tyrone)	St Bridgids Villas
Church Hill	Kesh	St James
Churchfield Road	Kilbroney Park(1-4)	St Marys Terrace
Clabby	Kilclean Road (80-82)	St Patricks Villas
Clady (Tyrone)	Kilcoo	Stangmore
Cladymore	Kildress Terrace	Stewartstown
Clare	Kilgarrett	Stoneyford
Clarehill	Killaloo	Stradreagh
Claudy	Killeen (Armagh)	Straid (Ballymena)
Clogh	Killeen (Tyrone)	Strangford
Clogher	Killen	Stranocum
Clough	Killeter	Swatragh
Cloughmills	Killinchy	Tamlaght
Cloughy (Retention Tank)	Killinchy Road(96-100)	Tamlaght O Crilly
Cluntoe (Richardson)	Killoge	Tamnaherin
Coagh	Killybaskey	Tamnamore
Commons School Road(8-10)	Killycurry Road(30-32)	Tartaraghan
Coneyisland	Killygore	Tattysallagh
Coole Glebe	Killylane	Teemore
Coolkeeran	Killyman	Teeraw
Coolnagoppoge	Killymuck	Tempo
Coragh	Killyrammer	The Loup
Corbet	Killysavan	The Rock
Corchoney Lane (2-4)	Kilmachugh	The Skeagh
Corcreechy Road	Kilmood	Thorney Glen
Corgary Cottages (New)	Kilmore (Armagh)	Tibaran Cottages
Corickbeg Road(15-17)	Kilmore (Down)	Tirquin
Corickmore	Kilrea	Toberkeagh
Corkill (Fermanagh)	Kilross	Tobermore
Corkill (Tyrone)	Kilskeery	Toome
Cornakessagh	Kiltubbrid	Torr Head
Corry	Kinallen	Trench Road (66-70)
Corvanaghan	Kinawley	Trillick
Craigavole	Kinego Cottages	Tromra
Craigmore Road(139 - 145)	Kinneyglass Road(87-89)	Tully
Craignasasonagh	Kinturk	Tullyard(Tyrone)

Name of WwTWs	Name of WwTWs	Name of WwTWs
Craigwarren	Kircubbin	Tullyelmer
Cranfield(Antrim)	Knock Terrace	Tullygrawley
Crankill	Knockanroe	Tullyleek
Creagh	Knockans	Tullymore Road (43-45)
Creaghcor	Knockbrack	Tullyreavy
Crebarkey	Knockloughrim	Tullyroan
Creevangar	Knockmoyle	Tummery
Crew Bridge	Knocknagore	Tureagh
Crilly	Knocknarea Road	Turraloskin
Cross Lane(9-22)	Knocknatavanna	Tursallagh
Crosskeys Road	Knockonny	Upper Ballinderry
Crossmaglen	Lack	Upper Cranlome Road
Crossnamoyle	Largy	Upperlands
Culbane	Laurelvale Road	Victoria Bridge
Culcrow	Lawrencetown	Waringsford
		Waringstown
		Waterfoot Road
		Whin Road (21-23)
		Woaghternerry

### Road Maintenance

**Mr Hamilton** asked the Minister for Regional Development how much has been spent on roads maintenance in each of the last two years. (AQW 8911/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that expenditure on structural maintenance (resurfacing/strengthening, surface dressing, patching and structural drainage), in each of the last two years, is as follows:-

- 2007/08 - £77.3 million
- 2008/09 - £63 million

### Church Water Charges

**Mr Gallagher** asked the Minister for Regional Development to detail the total monies collected through water charges from churches and church properties for the financial year 2008/09. (AQW 8913/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water that the total monies collected in the financial year 2008/09 through water charges from church and church properties was £408,881.87.

### Press and Public Relations Staff

**Mr Gardiner** asked the Minister for Regional Development to detail the number of staff employed in his Department's press and public relations department and their overall cost in each year from 2003/04 to 2008/09. (AQW 8930/09)

**The Minister for Regional Development:****2003/04**

Principal Information Officer

Senior Information Officer

Administration Staff (x3)

**Total: £140,815k****2004/05**

Principal Information Officer

Senior Information Officer (x2)

Administration Staff (x2)

**Total: £151,632k****2005/06**

Principal Information Officer

Senior Information Officer (x2)

Administration Staff (x2)

**Total: £161, 532k****2006/07**

Principal Information Officer

Senior Information Officer (x2)

Information Officer

Administration Staff (x2)

**Total: £172,926k****2007/08**

Principal Information Officer

Senior Information Officer (x2)

Administration Staff (x2)

**Total: £199,729****2008/09**

Principal Information Officer

Senior Information Officer

Assistant Information Officer

Administration Staff (x2)

**Total: £184,347****Cullybackey Through-pass and A26 Frosses Road**

**Mr O’Loan** asked the Minister for Regional Development for an update on the progress of (i) the Cullybackey through-pass; (ii) the A26 Frosses Road Dualling scheme; and (iii) if the Minister could confirm that these projects will be completed as soon as possible.. (AQW 8956/09)

**The Minister for Regional Development:** My Department’s Roads Service has advised that the Cullybackey throughpass has not been included in a Roads Service works programme at this time. However, I can assure you that the provision of the Cullybackey throughpass, following on from the section to be constructed by the developer, will be kept under review. Roads Service has advised that this scheme will be considered for a future



works programme, subject to rate of development, priority against other proposals, satisfactory progress through planning and land acquisition and the availability of funding, through the normal budgetary process.

In relation to the A26 Frosses Road Dualling, I can advise that I announced the preferred route for this scheme, in August 2008. The scheme is currently being taken through the third stage of the three-stage scheme assessment process. This will culminate in the publication of an Environmental Statement and draft Orders, for planning and land acquisition, which I would anticipate occurring next year.

I can confirm that the A26 project will be completed as soon as possible, subject to satisfactory progress through the statutory orders and the availability of finance through the normal budgetary process.

### **West Tyrone Projects: Completion of**

**Mr Doherty** asked the Minister for Regional Development provide a timeline for the completion of (i) carriageway and footpath improvements on the Mountfield Road between the junction with St Mary's Road and Oakland Road, Killyclougher; (ii) the road realignment scheme on Farmhill Road, Killyclougher; (iii) the construction of a pedestrian bridge in Beragh; and (iv) repairs to the Corkill Road from Seskinore to Clougher. (AQW 8959/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that, in relation to the completion of the carriageway and footpath on the Old Mountfield Road, between the junction with St. Mary's Road and Oakland Road, work is scheduled to commence later this year and is planned to be completed before the end of March 2010.

With regard to the road realignment scheme at Farmhill Road, Killyclougher, including the widening of Ballynamullan Bridge, the design work is included in the 2009/2010 Local Transport and Safety Measures (LTSM) programme for the Omagh District. Construction is expected to follow in 2010/2011, subject to the availability of funding.

In relation to the construction of a pedestrian footbridge in Beragh, this is also included on the 2009/2010 LTSM programme for the Omagh District. However, delivery of this scheme is dependant on the successful acquisition of the necessary lands and the availability of funding.

In relation to repairs to the Corkill Road from Seskinore to Clougher, a stretch of this road was inspected on 7 May 2009, and the defects recorded have since been repaired.

I am further advised that the section of the road, near the junction of Ravera Road, is currently being considered for resurfacing work later this year.

### **Old Quay Road, Holywood: Streets Lights**

**Dr Farry** asked the Minister for Regional Development why the streets lights in Old Quay Road, Holywood have been on 24-hours a day for the past three months, and what representations have been made to Northern Ireland Electricity to rectify the matter. (AQW 9004/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that its officials first reported a fault in the street lighting electricity supply cable network, which supplies the Old Quay Road area of Holywood to Northern Ireland Electricity (NIE), on 10 April 2009.

Pending permanent restoration works, NIE temporarily restored power to street lighting in the area on 5 May 2009. However, this left the street lights continuously on.

As a result of the Member's recent contact with Roads Service, officials again contacted NIE regarding the fault, and they have undertaken to repair the fault as soon as possible.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Social Security Inquiries

**Mr T Clarke** asked the Minister for Social Development, pursuant to AQO 2700/09, to outline the procedure for passing inquiries relating to pensions, child maintenance, social security and other allowances from her constituency office to her Department. (AQW 8648/09)

**The Minister for Social Development (Ms Ritchie):** The procedure in place for passing such inquiries from my constituency office to the Department is a matter of simple logistics. Where a constituent raises such matters with me in a letter, I bring or send that letter to my Department. If the correspondence happens to be by email then the initial email is also forwarded to my Department. In either case the correspondence is dealt with by the Department in the same way as any other inquiry.

### Warm Homes Scheme

**Mr Beggs** asked the Minister for Social Development for an update on the Warm Homes Scheme and to advise on the process for fresh applications and when successful applicants can expect to have home improvements carried out. (AQW 8671/09)

**The Minister for Social Development:** The contracts for the new Warm Homes Scheme have just been awarded to the successful bidders: H&A Mechanical Services Ltd and Bryson Charitable Group. Those contracts specify a scheme start date of 1 July 2009. The two new Scheme Managers are keen to develop a joint marketing initiative. Once they have set up a single contact telephone number, I will officially launch the scheme in the local press. The Housing Executive anticipates that the new Scheme Managers will start processing applications before the end of July 2009.

### Replacement Oil-Fired Central Heating

**Mr Shannon** asked the Minister for Social Development if she intends to give equal opportunity for new or replacement oil-fired central heating to people who apply and qualify from rural community and urban communities. (AQW 8715/09)

**The Minister for Social Development:** The Warm Homes Scheme will target those household in receipt of a qualifying benefit who have no central heating, solid fuel, Economy 7 or LPG heating.

The Warm Homes Scheme will be application led and the Scheme Managers will undertake proactive marketing covering the whole of Northern Ireland. However, particular focus will be given to areas where need is greatest or where take-up relative to need is low. There is a commitment that at least 40% of households assisted should be located in rural areas where there often tends to be a higher concentration of Hard to Treat homes

### Employment and Support Allowance

**Mr Shannon** asked the Minister for Social Development what is the average duration of phonecalls to her Department about Employment and Support Allowance. (AQW 8749/09)

**The Minister for Social Development:** The latest information available on the average duration of a call to the Employment and Support Allowance (ESA) Centre is for the period 22 June to 26 June. During this period the Centre received a total of 5,858 calls and answered 5,594. The table below provides a breakdown of the average call time on the ESA claim line and the enquiry line:-

	All Calls	Calls to ESA Claim Line	Calls to ESA Enquiry Line
Calls Answered	5594	1050	4544
Average Inbound Call Duration*	00:06:16	00:09:34	00:05:30

\* Call duration is reported in Hours:Minutes:Seconds

### Employment and Support Allowance

**Mr Shannon** asked the Minister for Social Development how many applications have been registered for Employment and Support Allowance since its inception. (AQW 8750/09)

**The Minister for Social Development:** The total number of claims to Employment and Support Allowance that have been received and registered between 27 October 2008 and 30 June 2009 is 21,457.

### Employment and Support Allowance

**Mr Shannon** asked the Minister for Social Development how many phonecalls have been made to her Department regarding Employment and Support Allowance since its inception. (AQW 8751/09)

**The Minister for Social Development:** The total number of telephone calls that have been made to the Employment and Support Allowance Centre between 27 October 2008 and 26 June 2009 is 167,441. Of these calls, 42,380 were made to the 0800 claim line and 125,061 were made to the 0845 enquiry line.

### Home Improvement Grants

**Mr Hamilton** asked the Minister for Social Development how long, on average, it takes the Housing Executive to pay each of the home improvement grants it operates; and how this compares with the target set for payment. (AQW 8756/09)

**The Minister for Social Development:** Currently on average, the length of time it takes the Housing Executive to make payments is as follows:-

- Renovation Grant in 5.4 weeks
- Replacement Grant in 5.2 weeks
- Disabled Facilities Grants in 5.3 weeks; and
- Home Repairs Assistance 5.2 weeks

The Housing Executive aims to make 90% of all grant payments within 6 weeks.

### Housing Executive's Craigavon District

**Mr O'Dowd** asked the Minister for Social Development how many Housing Executive rural cottage tenants in the Craigavon District have been affected by the Housing Executive's decision to delay an external maintenance scheme in the Craigavon district. (AQW 8759/09)

**The Minister for Social Development:** The scheme in question is a Multi Element Improvement for 19 rural cottages within the Lurgan District office area at an estimated cost of £496k. The Housing Executive are currently unable to confirm when the works will commence. However, should finance become available the Housing Executive anticipates that it could deliver the scheme within the next financial year.

### Housing Executive's Newtownards District

**Mr Hamilton** asked the Minister for Social Development to detail all improvement schemes currently planned for the Housing Executive's Ards District, and to indicate the cost and an anticipated commencement dates. (AQW 8808/09)

**The Minister for Social Development:** The table below details the improvement and maintenance schemes programmed for the Housing Executive's Newtownards District 2009/10:-

Type	Scheme	Dwgs	Start Date	Estimated Cost (k)	Comment
Kitchens	Cypress Crescent/East St	34	Jul-09	153	

Type	Scheme	Dwgs	Start Date	Estimated Cost (k)	Comment
	Ballyhalbert etc	27	Sep-09	96	
	Bowtown	30		135	Reserve scheme*
Bathrooms	Scrabo	42		42	Reserve scheme*
Heating	Donaghadee	112		493	Reserve scheme*
External Cyclical Maintenance	Greyabbey/Kircubbin	171		320	Reserve scheme*

\* The delivery of all reserve schemes is subject to the availability of finance

### Housing Executive's Newtownards District

**Mr Hamilton** asked the Minister for Social Development to detail all improvement schemes currently under way in the Housing Executive's Ards District, and to indicate the cost and anticipated dates for conclusion.

(AQW 8809/09)

**The Minister for Social Development:** The table below details the improvement and maintenance schemes currently on site in the Housing Executive's Newtownards District:-

Type	Scheme	Dwellings	Start Date	Cost (£k)	Estimated completion
ECM*	Beechfield Dr. Donaghadee	222	30/04/2009	515	Feb-10
Kitchens	Scrabo	201	26/01/2009	894	Nov-09
Heating	Movilla 1	51	01/09/2008	259	Jul-09
	Movilla 2	88	26/01/2009	436	Jul-09
MEI**	Westwinds Ph 3	54	31/03/2008	1,626	Mar-10
	Main St / Islandview Gardens	5	31/03/2008	210	Sep-09

\* ECM – External Cyclical Maintenance

\*\* MEI – Multi Element improvement Scheme

### Childcare Organisations

**Mr K Robinson** asked the Minister for Social Development to detail funding provided by her Department to (i) preschool childcare organisations; and (ii) school age childcare organisations, in each of the last five years.

(AQW 8832/09)

**The Minister for Social Development:** Details of the funding provided by my Department, to support pre-school and school age childcare services in each of the last five financial years, is detailed in the table below.

In 2008 I intervened to save childcare services that were at risk of closure. In February 2009 I extended that funding for a further year to protect childcare services while the Ministerial Sub-Committee on Children and Young People works to bring coherence to childcare provision. The current funding situation is untenable at a time that my Department is facing acute financial pressures.

Department for Social Development Funding for Childcare Services					
2004/05 – 2008/09 <sup>1</sup>					
	2004/05	2005/06	2006/07	2007/08	2008/09
(i) Preschool	£164,739	£1,027,953	£709,187	£1,336,007	£1,287,945
(ii) School Age	£21,502	£177,089	£225,778	£247,346	£216,134
Both <sup>2</sup>	£30,151	£171,707	£272,187	£306,116	£314,488



Department for Social Development Funding for Childcare Services 2004/05 – 2008/09 <sup>1</sup>					
	2004/05	2005/06	2006/07	2007/08	2008/09
<b>Total</b>	<b>£216,392</b>	<b>£1,376,749</b>	<b>£1,207,152</b>	<b>£1,889,469</b>	<b>£1,818,567</b>

**Notes:**

- 1 From 2006/07 includes funding under the Children and Young People Fund 2006/07 – 2007/08 and the Women's Centres Childcare Fund 2008/09.
- 2 Funding identified as supporting services to children within both age ranges.

### School-Age Childcare Organisations

**Mr K Robinson** asked the Minister for Social Development if her Department has a lead agency for liaising with and supporting school-age childcare organisations; and, if so, does this agency utilise cross-departmental links in its work with this sector. (AQW 8834/09)

**The Minister for Social Development:** My Department does not have a lead agency for liaising with and supporting school-age childcare organisations.

### Employment Support Allowance

**Mr T Clarke** asked the Minister for Social Development to detail (i) by grade, the number of staff employed in the Social Security Agency to work on Employment Support Allowance (ESA); (ii) the number of vacancies, by grade; (iii) the full complement of staff, by grade; (iv) what action is being taken to fill the vacancies; and (v) will any staff be recruited to work on ESA in the next six months. (AQW 8835/09)

**The Minister for Social Development:** (i),(ii),(iii): The table below sets out the number of staff currently employed in the Employment Support Allowance Centre. It also provides details of the full staff complement by grade, the current number of staff and the variance. (Surplus or vacancy)

Grade	Staff Complement *	Staff Employed*	Variance*
Grade 6	1	1	0.00
Grade 7	1	1	0.00
DP	2	2	0.00
SO	6	5	-1.00
EO1	11	10	-1.00
SSO1	74.15	69.35	- 4.80
SSO2	129.3	134.12	4.82
AA	20.7	22	1.30
<b>Total</b>	<b>245.15</b>	<b>244.47</b>	<b>-0.68</b>

\* The Figures shown in the table above are Full-Time Equivalent.

In addition to the staff in post detailed in the table the Centre is supported by a team of Experts Users, 9 SSO1s and 2 EO1s, who assist staff with the complexities of the new benefit rules and the systems.

(iv), (v): The Agency gives a high priority to resourcing the ESA Centre and takes ongoing action to fill vacancies in line with the workforce plans. The workloads in the ESA Centre will be closely monitored for the remainder of the year, and staffing levels will be increased as necessary to meet business needs.

### Bounses paid to Civil Servants

**Mr T Clarke** asked the Minister for Social Development how many senior Civil Servants who oversaw the setting up of the Employment and Support Allowance centre were awarded bonuses last year; and on what grounds. (AQW 8851/09)

**The Minister for Social Development:** It is our policy, taking account of the Data Protection Act, not to disclose the remuneration details of individual civil servants, other than in broad terms. Information on the total amount paid in non-consolidated bonus payments to Senior Civil Servants in the Department for Social Development in respect of performance year 2008/2009 is not yet available.

### Social Housing

**Mr Shannon** asked the Minister for Social Development to outline (i) the advice she has given to developers and agents who have over 1000 social houses in the pipeline, in light of the new EU procurement policy; and (ii) how she intends to address the current shortage of social housing. (AQW 8906/09)

**The Minister for Social Development:** During week commencing 25 May, Public Notices were placed across the press outlining the position in respect of what are known as 'Design and Build' package deals. Developing European Union Case Law brought into question the legality of such deals and subsequent legal advice confirmed that these package deals did not meet EU Procurement Law.

The Northern Ireland Housing Executive has been able to replace the 'Design and Build' package deals previously included in the Social Housing Development Programme with alternative newbuild schemes procured by traditional competitive arrangements.

This will help ensure that the targeted social newbuild starts of 1750 units, is achieved. Prospective Design and Build contractors will be free to compete for all of this work. They also have the option of selling development land to Housing Associations at any time.

The Northern Ireland Housing Executive have produced a procurement compliant program for 2009/10 and it is available at: [www.nihe.gov.uk/index/wwu\\_home/development\\_programme\\_group.htm](http://www.nihe.gov.uk/index/wwu_home/development_programme_group.htm).

### Social Housing Maintenance

**Mr Hamilton** asked the Minister for Social Development how much has been spent on social housing maintenance in each of the last two years. (AQW 8952/09)

**The Minister for Social Development:** The Housing Executive's maintenance expenditure for the period requested is detailed below:

Year	2007/08	2008/09
£	106,746,757	113,993,662

### Business Improvement Districts

**Mr O'Loan** asked the Minister for Social Development for an update on the progress of creating legislation to set up Business Improvement Districts. (AQW 8963/09)

**The Minister for Social Development:** I met with Ministerial colleagues and officials from DFP and DOE on 2 July 2009 to discuss Business Improvement Districts (BIDs) and associated legislation required to implement them fully. It was agreed that my officials will work with their counterparts in DOE and DFP to determine the feasibility of introducing BIDs in Northern Ireland. Once this process has been completed, I will consider the results with my Ministerial colleagues.

## Employment and Support Allowance

**Mr Weir** asked the Minister for Social Development how many applications have been made for Employment and Support Allowance in the North Down Constituency since the inception of the allowance, and how many of these applications have been turned down. (AQW 8987/09)

**The Minister for Social Development:** Information on the number of applications to Employment and Support Allowance (ESA) is not available by parliamentary constituency. The table below provides details of the number of fresh claims received in Northern Ireland each month since the benefit was introduced on 27 October 2008.

Month	Number of claims
October	56
November	940
December	1729
January	2435
February	2993
March	3313
April	2894
May	3267
June	3830
<b>Total</b>	<b>21,457</b>

Information on the number of applications turned down is not available. The vast majority of claims to ESA are accepted where a customer provides the correct information and supplies current medical evidence. Consistent with the policy, entitlement to ESA continues until their claim is examined by a medical professional and a decision on their limited capability for work is made.

## Small Pockets of Deprivation Programme

**Mr Easton** asked the Minister for Social Development if she intends to continue Small Pockets of Deprivation programme funding for the next two years. (AQW 8994/09)

**The Minister for Social Development:** The Small Pockets of Deprivation funding will continue until 31 March 2010. An evaluation of the funding up to 31 March 2009 is being finalised. I will make a decision on the future of this programme before the end of this year. It is expected that the Local Community Fund will close at the end of this financial year.

## NORTHERN IRELAND ASSEMBLY COMMISSION

### 9 Church Street, Ballymena

**Mr Dallat** asked the Assembly Commission what information it holds on a reported £25,000 sub-letting plan for the first floor of the Assembly-funded constituency office at 9-11 Church Street, Ballymena. (AQW 8764/09)

**The Representative of the Assembly Commission (Rev Dr Robert Coulter):** The Assembly Commission holds a current lease agreement for the premises at 9-11 Church Street, Ballymena but holds no information on any sub-letting plan.





# NORTHERN IRELAND ASSEMBLY

Friday 7 August 2009

## Written Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### European Union

**Mr Kennedy** asked the Office of the First Minister and deputy First Minister to outline how relations between the Executive and the European Union are managed and what plans it has to modify these arrangements.

(AQO 2183/09)

**The First Minister and deputy First Minister (Mr P Robinson and Mr M McGuinness):** We take lead responsibility for co-ordinating engagement with Europe on behalf of the Executive. Each Executive Minister is responsible and accountable for the implementation of European policies and legislation that fall within their Department's devolved responsibilities.

Our Junior Ministers represent us on the Joint Ministerial Committee (Europe), which co-ordinates the United Kingdom's policy position on European matters.

The European Commission's Taskforce has enhanced these arrangements, providing greater focus on the region's European policy and programme priorities. A Taskforce Working Group, chaired by Junior Ministers, co-ordinates this work and reports back to the Executive.

#### Executive Office in Brussels

**Mr Neeson** asked the Office of the First Minister and deputy First Minister for its assessment of its use of the Executive Office in Brussels.

(AQO 2352/09)

**The First Minister and deputy First Minister:** The Executive's Office in Brussels provides a service to the Executive, to this Assembly and its Committees, and to wider civic society, local government, universities and other groups seeking to engage in Europe. This service includes provision of information and advice, arranging visits and meetings and educational programmes.

The office has arranged Ministerial programmes on 25 occasions since May 2007 including 8 visits by Ministers of this Department. Most recently we visited Brussels at the end of March 2009. During the visit we had a useful series of meetings with, among others, the then President of the European Parliament, Hans-Gert Pöttering, Commission President Barroso and the Trade and Internal Market Commissioners Ashton and McCreevy. Among the issues raised was the Bombardier State Aids application, now settled favourably.

Looking forward, the Brussels Office is currently working on 3 Ministerial visits to Brussels in September, including an important visit to plan future Taskforce actions led by the Junior Ministers of this Department.

The Office will continue to play a central role in the ongoing Task Force work and maintaining contact between Northern Ireland and key EU Institutions.

## European Policy and Co-Ordination Unit

**Mr K Robinson** asked the Office of the First Minister and deputy First Minister to outline the work undertaken by the European Policy and Co-Ordination Unit in the last year, particularly how it has discharged its co-ordination function. (AQO 2598/09)

**The First Minister and deputy First Minister:** During the course of the last year, the European Policy and Co-ordination Unit (EPCU) has supported us, the Executive and the Assembly Committee for OFMDFM in developing the administration's strategic approach to Europe. This work included publishing, for the first time, the Executive's 'Priorities for European Engagement', which signified a step-change in our relations with Europe.

EPCU provides the Secretariat to the Barroso Task Force Working Group, chaired by Junior Ministers, which co-ordinates European policy matters at Deputy Secretary level across civil service departments. Under the guidance of the Working Group, and with inputs from Departments, EPCU are currently co-ordinating the drafting of our European Action Plan 2009/2010 which will be considered by the Executive in the autumn.

On an ongoing basis, EPCU also co-ordinates policy lines promoting our interests within the UK's overall European negotiating position. These lines are used by Junior Ministers, who represent us at meetings of the Joint Ministerial Committee (Europe) in London each quarter. This Committee, chaired by the Foreign Secretary, brings together Ministers from the UK Government and Devolved Administrations to consider European Union matters impinging on devolved responsibilities.

EPCU co-ordinates the process by which Northern Ireland's representatives on both the Committee of the Regions and European Economic and Social Committee (EESC) are appointed. EPCU also leads in briefing our representatives to these Committees. In April 2008, the Unit facilitated a visit by an influential EESC sub-committee evaluating the role of the European Union in our Peace Process, which involved formal recognition of the Peace Programme founders at a joint EESC/ University of Ulster conference.

Inward visits to this region by key European decision-makers, influencers and representatives are supported by EPCU. A recent example was the two-day visit last November by Hans-Gert Pöttering, the President of the European Parliament, in the context of the 2008 European Year of Intercultural Dialogue.

Over the last year, EPCU represented OFMDFM on an informal network of Honorary Consuls. This network, predominantly European in composition, has recently become the newly formed Consular Association of Northern Ireland with Lord Rana as its first President.

EPCU takes the lead in raising awareness across departments about European 'Years' campaign themes, including the 2009 Year of Creativity and Innovation and the 2010 Year for Combating Poverty and Social Exclusion. The Unit represents OFMDFM on the European Information Network, comprising local stakeholders with an interest in European matters. It also participates in the Opportunity Europe steering group, led by the European Commission Office and Belfast City Council, that organises an annual fair and exhibition providing students, teachers and the general public with information on opportunities to work, study, travel or volunteer in other European countries.

On more routine matters, EPCU disseminates European information to nominated co-ordinators in civil service departments on a daily basis, including for example, Explanatory Memorandums, Westminster Scrutiny Reports, Whitehall MEP briefs and European Council conclusions. Each EU co-ordinator is responsible for passing this material to the relevant sectoral policy leads within their department. The Unit monitors the transposition of European directives by departments and co-ordinates our response to the Commission's bi-annual Internal Market Scoreboard exercise.

## Economic Stimulus Measures

**Dr McDonnell** asked the Office of the First Minister and deputy First Minister what consideration the Executive has given to implementing economic stimulus measures similar to those introduced by the other European governments, such as the Netherlands. (AQO 2599/09)

**The First Minister and deputy First Minister:** We are aware of the stimulus package that was announced in the Netherlands. Several of the measures introduced fall into reserved areas and a number of others echo those we introduced in December 2008. We are, of course, happy to consider any further proposals that will protect the interests of local people and businesses.

## Consultants

**Mr Craig** asked the Office of the First Minister and deputy First Minister how much it has spent on internal and external consultants, in each of the last three years. (AQW 7895/09)

**The First Minister and deputy First Minister:** The following table sets out how much our Department has spent on internal and external consultants, in each of the last three years.

Financial Year	Expenditure £ (000's)	
	Internal Consultants	External Consultants
2006/07	£93	£1,193
2007/08	£136	£2,758
2008/09	£179	£1,017

## Executive

**Mrs Long** asked the Office of the First Minister and deputy First Minister for its assessment of how efficiently the Executive is functioning. (AQW 8079/09)

**The First Minister and deputy First Minister:** The Executive has met this year on 15 occasions and has dealt with over 130 papers on a wide range of issues.

## Conflict Transformation Centre

**Mr Elliott** asked the First Minister and deputy First Minister if they plan to proceed with the Conflict Transformation Centre at the Maze/Long Kesh site. (AQW 8455/09)

**The First Minister and deputy First Minister:** In our statement, attached, of 8 April 2009 we said we were committed to exploiting the potential of the Maze/Long Kesh site to the full. This includes maximising the economic, historical and reconciliation potential of the site and we will continue to work with all those bodies interested in contributing to the development of the site.

Statement from the First Minister and Deputy First Minister regarding the future of the Maze/Long Kesh masterplan.

### 08 April 2009

The First Minister and deputy First Minister today announced that the MLK Masterplan will not proceed in its original proposed form and that the current procurement process has now ended.

In a joint statement the First Minister and deputy First Minister said: “The 360 acre site, which remains in public ownership, is a site of regional significance. We fully recognise the economic development potential of this site and we are committed to exploiting this potential to the full, particularly given the economic climate we now find ourselves in.

In order to do so, we will establish a Development Corporation which will take this project forward and will build on the work previously undertaken by OFMDFM and the All-Party Maze/Long Kesh Consultation Panel and which will have regard to all the elements of the site including any listed buildings.

As we seek to maximise the economic, historical and reconciliation potential of the site we will continue to work with all those bodies interested in contributing to the development of the site.

Throughout this process we have been grateful to the GAA, the IFA and the Ulster Branch of the IRFU for their work and commitment. As the multi-sports stadium element of the project will not be taken forward, the three sporting bodies have been asked to submit their preferred options to DCAL. The Executive looks forward to receiving a report on the outcome of that process and we remain committed to meeting the strategic stadium needs of the three sporting bodies.”

### Maze/Long Kesh

**Mr Elliott** asked the First Minister and deputy First Minister if they are aware of recent correspondence issued by the Community Relations Council on the development of a Conflict Transformation Centre at the Maze/Long Kesh site. (AQW 8458/09)

**The First Minister and deputy First Minister:** We do not know to which particular correspondence the Member refers but we are aware that the Community Relations Council has indicated that it would be supportive of such an international centre.

### People with Disabilities

**Mr Hilditch** asked the First Minister and deputy First Minister for their assessment of the availability of toilet facilities for people with disabilities. (AQW 8582/09)

**The First Minister and deputy First Minister:** No assessment has been undertaken of the availability of public toilet facilities for disabled people. It is the responsibility of all organisations that provide services to the public to take positive steps to make their services accessible to disabled people.

The Disability Discrimination Act 1995 places a duty on service providers to make reasonable adjustments to the physical features of a building which make accessing a service impossible or unreasonably difficult for disabled people. This includes making alterations to toilet and washing facilities. The design of toilet facilities required for disabled people is regulated by Part R of the Building Regulations (Northern Ireland) 2000 (access to and use of buildings). Part R, and its associated technical guidance, ensure that toilet facilities in new buildings and existing buildings, when altered, meet reasonable standards of accessibility for disabled people.

### Capital Budget

**Mr Kennedy** asked the First Minister and deputy First Minister for an update on their Department's capital budget for the calendar year to date. (AQW 8705/09)

**The First Minister and deputy First Minister:** Capital and other budgets are not allocated on a calendar year basis. They are allocated on a financial year basis.

The table below outlines the opening capital budget allocated to OFMDFM for the financial year 2009-10 and the capital expenditure for 2009-10, as at 26 June 2009.

Opening Capital Budget 2009-10 (£000's)	Capital Expenditure to date 2009-10 (£000's)
22,840	1,486

### National Childcare Strategy

**Ms Purvis** asked the First Minister and deputy First Minister to outline the options for a national childcare strategy that were discussed in the meeting of the Subgroup on Child Poverty on 18 June 2009. (AQW 8735/09)

**The First Minister and deputy First Minister:** The options for the future delivery of childcare that were discussed by the Ministerial sub-group at its meeting on 18th June 2009 in broad terms include (a) no change; (b) development of a 10-year childcare strategy; (c) designation of a lead childcare department and (d) the devolution of childcare responsibilities to other organisations. Ministers agreed to commission a feasibility study on these options.

### Public sector targets

**Mr Gallagher** asked the First Minister and deputy First Minister for his assessment of how public sector targets, involving more than one Department, can be delivered when the oversight boards to manage these have not yet been established. (AQO 3087/09)



**The First Minister and deputy First Minister:** The Executive's priorities and key public sector targets for the period 2008-2011 are set out in the Programme for Government. These are supported by a framework of 23 cross-cutting Public Service Agreements (PSAs) which set out the key goals and targets departments will take forward in support of the Executive's priorities.

We are determined to ensure a clear focus on delivery. We recognise that many of the outcomes and targets within the PfG and the associated PSA framework are cross-cutting or interdependent and will only be achieved where departments work closely together and co-ordinate their approach. That is why we have established delivery structures which aim to provide for clear lines of accountability while facilitating more effective joined-up working across government.

In that context, following the Assembly's endorsement of the PfG, departments worked together to develop detailed Delivery Agreements for each PSA, with lead departments identified for each PSA and key goal/commitment set out in the PfG.

To build upon this approach, the Executive agreed on 5 March a delivery and reporting framework for the PfG requiring lead departments to identify for each PSA a single Senior Responsible Officer (SRO) and establish a Delivery Board, drawing representation from contributing departments and business areas. The SRO and Delivery Board are required to submit quarterly returns to OFMDFM setting out progress against PfG/PSA targets and the delivery structures in place.

In line with that requirement, on 7 May OFMDFM commissioned an update on progress for the period 1 April 2008 to 31 March 2009. Those returns have indicated that considerable progress has been made. Across the significant majority of targets, robust delivery structures are in place. However, there are a small number of areas where there is a need to enhance delivery structures as we move forward and build upon the strong foundations we have put in place. A PfG Delivery Report was received and discussed by the Executive on 25 June 2009.

### Playboard

**Mr K Robinson** asked the First Minister and deputy First Minister to detail the funding available to childcare clubs through Playboard for the next academic year, and how this compares with the previous funding allocations. (AQW 8830/09)

**The First Minister and deputy First Minister:** We recognise the importance of good childcare provision and are working closely with other Departments to seek a long-term resolution to the current difficulties faced. The Ministerial Sub-Committee on Children and Young People identified childcare as an urgent priority and established a cross-departmental sub-group to produce a report, identifying options for future provision, to the Ministerial Sub-Committee. The initial report of this sub-group was presented to relevant Ministers on 18 June.

You will be aware that OFMDFM managed to fund £350,000 to continue these groups until August 2009 despite it not being an OFMDFM direct policy responsibility.

This funding for the PlayBoard projects is an interim approach pending a longer-term outcome from the work of the sub-group. Unfortunately, we are not in a position to give you any confirmation of future funding at this stage but we can assure you that we are continuing to highlight this issue.

### Green New Deal Group

**Dr Farry** asked the First Minister and deputy First Minister what consideration the Executive is giving to the recommendations of the Green New Deal Group on developing the green economy. (AQW 8836/09)

**The First Minister and deputy First Minister:** Engagement with the Green New Deal Group has occurred at Ministerial level through the Economic Development Forum, and across Departments at official level. Furthermore, in addressing the challenges of the economic downturn, and as part of the functions of the Cross Sectoral Advisory Forum, sub-groups have been commissioned to consider the potential opportunities associated with the Green New Deal vision. The findings emerging from the work of the Green New Deal Group are both interesting and helpful in informing policy development.

The economy is, of course our top priority in our Programme for Government and we remain keen to explore all of the opportunities to achieve economic recovery and growth.

### After Schools Programmes

**Ms Purvis** asked the First Minister and deputy First Minister when the after schools programmes funded by the Children and Young People's funding package can expect to receive notice of the £350,000 available for their programmes beyond August 2009. (AQW 8839/09)

**The First Minister and deputy First Minister:** We recognise the importance of good childcare provision and are working closely with other Departments to seek a long-term resolution to the current difficulties faced. The Ministerial Sub-Committee on Children and Young People identified childcare as an urgent priority and established a cross-departmental sub-group to produce a report, identifying options for future provision, to the Ministerial Sub-Committee. The initial report of this sub-group was presented to relevant Ministers on 18 June.

As you are aware OFMDFM managed to fund £350,000 to allow the groups to continue until August 2009 despite childcare not being an OFMDFM direct policy responsibility.

The continued funding for the PlayBoard projects is an interim approach pending a longer-term outcome from the work of the sub-group. Unfortunately, we are not in a position to give you any confirmation of future funding at this stage but we can assure you that we are continuing to highlight this issue.

### Maze/Long Kesh

**Mr Elliott** asked the First Minister and deputy First Minister if they are aware of recent correspondence issued to groups by the Strategic Investment Board about the development of a Conflict Transformation Centre at the Maze/Long Kesh site. (AQW 8844/09)

**The First Minister and deputy First Minister:** We would refer the Member to our previous response to AQW 8458/09.

### The Maze Site

**Mr Savage** asked the First Minister and deputy First Minister (i) to detail the projected costs of a development corporation to investigate the appropriate use of the Maze site; and (ii) to outline how much of his Department's budget for (a) 2009/10; and (b) 2010/11 has been identified for the development corporation. (AQW 8858/09)

**The First Minister and deputy First Minister:** As the Member will understand plans for the redevelopment of this strategic site are at a very early stage and projected costs for this period are currently being determined.

However, we have initially identified a budget requirement for up to £5.1 million to allow the Development Corporation to drive forward preparatory work in the current financial year. The budget will include provision for substantial masterplanning and related work, as well as the cost of setting up and staffing the Development Corporation, site security and running costs and the ongoing maintenance of the listed prison buildings and aircraft hangars.

This figure also includes a June monitoring round bid for £2.5m capital expenditure which is necessary to complete an extensive programme of ground decontamination across the 347 acre site.

### Press and Public Relations

**Mr Gardiner** asked the First Minister and deputy First Minister to detail the number of staff employed in their press and public relations department and their overall cost in each year from 2003/04. (AQW 8881/09)

**The First Minister and deputy First Minister:** In 2008/09 there were 4 press officers employed within the department who provided direct support to the First Minister, deputy First Minister and Junior Ministers on core press and public relations activity. They were supported by 1 administrative officer. OFMDFM is also responsible for the co-ordination of communication across all 11 departments and the attached figures include staff who work in this role as well as staff that directly support OFMDFM Ministers.

The salary figures provided are approximate and are based on the latest information made available to branches. The current management information system is unable to provide salary details to branches in a suitable format for the period November 2008 to March 2009.

Year Information	Officer Staff	Administrative Staff	Total Costs
2008/09 (to Oct 08)	10	3	£346,907.14
2007/08	14	11	£802,226.44
2006/07	9	15	£692,016.90
2005/06	10	13	£780,184.97
2004/05	10	13	£720,787.49
2003/04	10	13	£722,857.54

### Peace III Projects

**Mr Shannon** asked the First Minister and deputy First Minister (i) how much money is available to each constituency for Peace III projects; and (ii) how these amounts compare to those available for Peace II.

(AQW 8907/09)

**The First Minister and deputy First Minister:** The Office of the First Minister and deputy First Minister does not hold this information. We suggest that you direct your enquiry to the Special EU Programmes Body.

### Meetings with the Prime Minister

**Mr Kennedy** asked the First Minister and deputy First Minister to detail when meetings between the Prime Minister and (i) the First Minister on 1 July 2009; and (ii) the deputy First Minister on 30 June 2009 were arranged; and to outline the outcomes of both meetings.

(AQW 8937/09)

**The First Minister and deputy First Minister:** The meetings were arranged by Downing Street. The outcomes of the meetings have been well documented in the press and we have nothing further to add.

### Equality Bill

**Dr Farry** asked the First Minister and deputy First Minister what consideration has been given to requesting that the disability or other aspects of the Equality Bill, currently being considered in Westminster, be extended to Northern Ireland.

(AQW 8947/09)

**The First Minister and deputy First Minister:** As discrimination law is a transferred matter and within the competence of the Assembly, we have not sought to extend the disability or other aspects of the Westminster Equality Bill. We continue to keep equality legislation under review.

### Decommissioning by Loyalist Groups

**Mr Attwood** asked the First Minister and deputy First Minister for their assessment of the statement by the Independent International Commission on Decommissioning on decommissioning by loyalist groups; and to advise if new proposals are being developed, under the Financial Assistance Act 2009, to release funding for communities which suffer disadvantage and in which illegal groups have exercised influence.

(AQW 8949/09)

**The First Minister and deputy First Minister:** An assessment of the recent statement by the Independent International Commission on Decommissioning on decommissioning by loyalist groups is a matter for the Secretary of State. However, the Commission's statement on this matter is welcomed. As regards the provision of financial assistance, the Act makes provision for how and when assistance can be considered.

### Office of Commissioner for Older People and a New Victims' and Survivors' Service

**Mr Gardiner** asked the First Minister and deputy First Minister, pursuant to AQW 8348/09, to outline the proposed legislative timetable for the two Bills they are working on.

(AQW 8953/09)

**The First Minister and deputy First Minister:** We intend to consult on a draft Commissioner for Older People Bill with a view to the Bill itself being introduced to the Assembly next year. We will also be consulting on policy proposals for the Victims and Survivors Service and we expect to be in position to introduce a Bill before the next summer recess. These legislative proposals will of course be brought forward in consultation with the OFMDFM Committee and with the agreement of the Executive.

### PfG Targets

**Mr Gardiner** asked the First Minister and deputy First Minister, given the proximity to the timing for the first of their PfG targets, to detail any interim findings on any decrease in child poverty levels. (AQW 8954/09)

**The First Minister and deputy First Minister:** There are three means by which Child Poverty levels in Northern Ireland are measured, these are:

#### A. RELATIVE INCOME POVERTY

From the baseline level of 29% in 1998/99 relative income poverty for children has fallen to 22% in 2006/07, the most recent period for which information is available.

#### B. ABSOLUTE INCOME POVERTY

Since 1998/99 there has been a significant reduction in the level of absolute income poverty for children. In 1998/99 it was estimated that 29% of children lived in households experiencing absolute income poverty; by 2006/07 this level had decreased to 12%.

#### C. MIXED LOW INCOME AND MATERIAL DEPRIVATION

In 2004/05, the first year for which information relating to material deprivation is available, 21% of children lived in households experiencing a combination of low income and material deprivation. In 2006/07 this level of low income and material deprivation had decreased to 18%.

Whilst these figures are encouraging we fully recognise that the targets we have set ourselves in respect of eliminating child poverty here are extremely challenging, particularly in light of the current economic downturn. The Executive, however, remains totally committed to meeting this challenge by working across government to ensure long-term sustainable progress.

In line with this commitment an Executive Sub-Committee on Poverty and Social Inclusion has been established and following on from its first two meetings officials have been asked to undertake work, with colleagues from other Departments, to identify the key co-ordinated priority actions that are needed to benefit those groups, including children, who are in greatest objective need. This work will be informed by the recommendations arising from the OFMDFM Committee's Child Poverty Inquiry Report, and the Promoting Social Inclusion Working Groups on Lone Parents and People with a Disability.

### Foreign Nationals

**Mr Gardiner** asked the First Minister and deputy First Minister to outline what action they have taken since 2007 to protect foreign nationals domiciled in Northern Ireland. (AQW 8955/09)

**The First Minister and deputy First Minister:** The work of challenging racism and all forms of intolerance is actively supported by OFMDFM Ministers and has been clearly demonstrated since the restoration of devolution in May 2007. You will recall that the very first event that the former first Minister and deputy First Minister hosted after the restoration of devolution was a reception in Parliament Buildings for new and existing minority ethnic communities, migrant workers and those who work closely with them. This was an acknowledgement of the importance we attach to this subject.

You will be aware that the physical protection of foreign nationals is primarily the responsibility of the Police Service of Northern Ireland (PSNI). We do, of course, continually work very closely with the PSNI on these matters. In fact, since 2007, there has been regular contact at all levels between OFMDFM and the PSNI. This includes frequent contact between the Racial Equality Unit in OFMDFM and the Community Safety Unit. Officials from the Racial Equality Unit also have contact with Minority Ethnic Liaison Officers from the PSNI. We also most recently held a meeting with the Chief Constable and other senior officers following racist attacks on members of our Roma community.



You may also wish to make direct contact with the PSNI for further information about the specific protections they provide.

In terms of legal and social protection, the Executive is keen to do everything possible to ensure protection, not just for foreign nationals, but for all people living here.

Foreign nationals domiciled in NI, who fulfil any necessary immigration restrictions, are entitled to the same employment rights as all other workers, enforced where necessary through the Tribunal Service. In addition, a number of bodies are responsible for enforcing specific areas of employment law – HM Revenue and Customs (National Minimum Wage), Health and Safety Executive, Gangmasters Licensing Authority (agricultural labour) and Department for Employment and Learning (employment agency law).

While the vast majority of agencies are reputable businesses, the Department for Employment and Learning is aware of the need to have adequate powers to deal with the small number of unscrupulous agencies which may exploit workers. On 22 June 2009 the Minister for Employment and Learning introduced an Employment Bill which contains measures to enhance the Department's powers to investigate and prosecute non-compliant agencies. It is intended that it will complete its Assembly passage by the end of the year.

Since 2007 the Department for Employment and Learning has produced a range of employment rights guidance material which has been made available in a number of languages. The Department has also contributed to the formation of the UK-wide Pay and Work Rights Line, which allows vulnerable workers to seek advice or make complaints in respect of their employment rights.

The Gangmasters Licensing Authority (GLA) protects the rights of all workers, including migrants, that are employed by a Gangmaster (labour provider) in the following types of work

- (a) agriculture,
- (b) gathering shellfish, and
- (c) processing or packaging of –
  - (i) any produce derived from agricultural work, or
  - (ii) shellfish, fish or products derived from shellfish or fish.

The Race Relations (Northern Ireland) Order as amended by the Race Relations Order (Amendment) Regulations (Northern Ireland) 2003 outlaws discrimination on the grounds of colour, race, nationality or ethnic or national origin. The Race Relations Order makes it unlawful to discriminate in the fields of employment, education, the disposal and management of premises, and the provision of goods, facilities and services. This applies to all those entitled to live and work here.

You will also be aware that Section 75 of the Northern Ireland Act 1998 places a statutory duty on public authorities to have due regard to the need for equality of opportunity on grounds of race.

While there is no specific legislation or action to protect foreign nationals from exploitation by landlords, there are regulations in place to protect all tenants from exploitation by landlords in the private rented sector. The Private Tenancies (Northern Ireland) Order 2006 which was introduced in April 2007 gives tenants rights and places obligations on landlords.

As you can see, the Executive is committed to taking action to ensure the highest level of protection against discrimination and harassment across all racial grounds for people here. We are also providing enhanced clarity as regards rights and responsibilities. This is in line with the commitment in our Programme for Government to create a shared and better future, based on tolerance and respect for cultural diversity.

### **Head of the Northern Ireland Civil Service**

**Mr Gardiner** asked the First Minister and deputy First Minister to outline the selection process for the Head of the NI Civil Service. (AQW 8973/09)

**The First Minister and deputy First Minister:** The post of the Head of the NI Civil Service was filled by way of an open recruitment competition, through public advertisement. The selection process used for external recruitment is set out in detail in the Northern Ireland Civil Service Recruitment Policy and Procedures Manual which can be accessed at [www.nicsrecruitment.gov.uk](http://www.nicsrecruitment.gov.uk).

The competition was run within the terms of the Recruitment Code laid down by the Civil Service Commissioners for Northern Ireland which can be accessed at [www.nicscommissioners.org](http://www.nicscommissioners.org).

The appointment was subject to the endorsement of the First Minister and deputy First Minister.

### **The United Nations Committee on Economic, Social and Cultural Rights**

**Dr Farry** asked the First Minister and deputy First Minister what consideration was given to officials attending the examination of the United Nations Committee on Economic, Social and Cultural Rights in its report on the United Kingdom of 22 May, which took account of the number of issues involving Northern Ireland. (AQW 8996/09)

**The First Minister and deputy First Minister:** The Ministry of Justice took the lead role in preparing and co-ordinating for this international examination on 12th and 13th May 2009. We have already prepared an Executive response to a number of follow-up questions from the UN Committee following the examination and are considering the merits of co-ordinating a Northern Ireland response to the Committee's Concluding Observations.

### **Flags**

**Dr Farry** asked the First Minister and deputy First Minister to outline their plans to revise the protocol on the removal of flags. (AQW 8998/09)

**The First Minister and deputy First Minister:** Preliminary work to establish a review of the inter-agency flags Protocol has begun with initial conversations involving both existing partners and potential new stakeholders. This is an important and challenging issue which goes to the heart of our vision to build a shared and better future. It is our intention to progress this review in the incoming months.

### **Single Equality Bill**

**Ms Lo** asked the Office of the First Minister and deputy First Minister to report on progress on the development of a Single Equality Bill. (AQO 2116/09)

**The First Minister and deputy First Minister:** We continue to keep the broad spectrum of our equality legislation under review.

## **DEPARTMENT OF AGRICULTURE AND RURAL DEVELOPMENT**

### **Bovine TB**

**Mr Savage** asked the Minister of Agriculture and Rural Development for her assessment of her Department's efforts to combat Bovine TB. (AQW 8778/09)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** TB is a very complex disease and it continues to be one of the most challenging animal health problems we face. My Department has committed significant resources to dealing with this disease. We have made considerable progress with TB in recent years, since peak levels for the disease in 2002. My assessment is that the TB programme we have been implementing in recent years has been successful in reducing TB in cattle here. Importantly, it has also protected our export trade, and around 90% of herds in the north are able to participate fully in export trade because of the programme.

There are many factors that can potentially affect the level of TB and to eradicate this disease, we will need to deal effectively with all the factors.

The new strategic approach to TB that I announced in December is a phased and holistic approach based on addressing three key strands together – real partnership between government and industry, controlling the spread

of TB between cattle, and addressing the wildlife factor. The ultimate aspiration of this new approach is the eradication of TB.

### Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail how much her Department plans to spend in the next (i) year; (ii) two years; (iii) five years; and (iv) 10 years in combatting Bovine TB.

(AQW 8779/09)

**The Minister of Agriculture and Rural Development:** The Department's expenditure on the bovine TB programme to combat the disease was over £23m in the 2008/09 financial year. This included disease compensation payments to farmers, payments to Private Veterinary Practitioners for carrying out TB testing, Departmental staff costs, research and laboratory costs, and other costs including payments to hauliers and the cost of tuberculin.

Regarding my Department's plans for expenditure in future years,

(i) In the next year 2010/11, which is the final year of the current Comprehensive Spending Review period, there is a key goal in the Programme for Government to reduce by 27% the herd incidence of TB by 2011. Actions to achieve the targeted reduction are based on the continuing implementation of the TB programme. Any reduction in disease levels would result in reduced disease compensation payments from the 2008/09 expenditure level.

In the next (ii) two years, (iii) five years, and (iv) 10 years, longer term spending will be decided on when subsequent Comprehensive Spending Reviews have been settled and it is not possible to foresee what it will be at this stage. The existing TB programme will continue to be an important element as we move forward with the new strategic approach for dealing with TB. Any new additional actions that we take under the strategy will be subject to securing the additional resources that would be needed.

### Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail any plans there are to review her Department's approach to eradicate Bovine TB.

(AQW 8780/09)

**The Minister of Agriculture and Rural Development:** The new strategic approach to TB that I announced in December is a phased and holistic approach based on addressing three key strands together – real partnership between government and industry, controlling the spread of TB between cattle, and addressing the wildlife factor. The ultimate aspiration of this new approach is the eradication of TB.

My Department is continuing to work in partnership with our key stakeholders to develop this agreed joint industry/Government approach to TB.

The intention is to review the position in 5 years' time at the end of the first phase of the strategy, so that we can make informed decisions about the next phase in the strategy to move towards the ultimate aim of TB eradication.

### EU Veterinary Fund

**Mr Savage** asked the Minister of Agriculture and Rural Development to outline why her Department has not availed of the EU Veterinary Fund for five out of the last nine years; and what action she is taking to ensure that DARD avails of this funding each year.

(AQW 8781/09)

**The Minister of Agriculture and Rural Development:** The Department has applied for and received funding from the EU Veterinary Fund every year for the past nine years, except for its 2003 application. The Fund considers applications from Member States for co-funding of their disease eradication plans, which has included applications from the north of Ireland in respect of Tuberculosis, Brucellosis and Transmissible Spongiform Encephalopathies (TSEs). Any co-funding received from Europe goes into the Consolidated Fund. The 2003 application was not considered by the Commission because it was received after the deadline of 1 June 2002.

The reason that the 2005 application for TB was rejected, and that an application was not submitted in respect of the TB eradication plan for 2006, 2007, 2008 and 2009, is because of an issue concerning compliance with the EU rules, specifically as regards the handling of second time inconclusive animals. My Department's assessment has been that the benefits of implementing this Directive requirement would not outweigh the costs in financial terms. My Department continues to keep this matter under review in our new TB strategy.

As you may be aware, the Public Accounts Committee report has made a recommendation regarding the funding from the EU Veterinary Fund. My Department will consider the Committee's report fully and a detailed Memorandum of Reply will be laid before the Assembly, setting out the considered response to the issues raised.

### EU Veterinary Fund

**Mr Savage** asked the Minister of Agriculture and Rural Development in which years, out of the past nine years, has her Department not received funding from the EU Veterinary Fund. (AQW 8782/09)

**The Minister of Agriculture and Rural Development:** The Department has applied for and received funding from the EU Veterinary Fund every year for the past nine years, except for its 2003 application. The Fund considers applications from Member States for co-funding of their disease eradication plans, which has included applications from the north of Ireland in respect of Tuberculosis, Brucellosis and Transmissible Spongiform Encephalopathies (TSEs). Any co-funding received from Europe goes into the Consolidated Fund.

The 2003 application was not considered by the Commission because it was received after the deadline of 1 June 2002.

The last year that funding was received in the north from the EU Veterinary Fund in respect of TB was for the 2004 application.

### Efficiency Savings Proposals

**Mr Elliott** asked the Minister of Agriculture and Rural Development to outline what efficiency savings proposals are in place for 2009-2010. (AQW 8797/09)

**The Minister of Agriculture and Rural Development:** The following Efficiency Delivery Plans (EDPs) have been developed to deliver £12.23m cash releasing efficiency savings for 2009-2010:

		£m
1.	Accommodation capital expenditure reduction	0.4
2.	Staff efficiencies from external transfer of certain Rural Development programme delivery	1.2
3.	Re-balance of NIRD funding enabling savings to the National Less Favoured Areas baseline	2.0
4.	Additional Forest Service receipts	1.0
5.	Mainstreaming Food Strategy spend into existing baselines	1.5
6.	AFBI – Reprofitting DARD work programme; improved procurement and use of shared services	1.4
7.	Retender Genotyping contract	0.2
8.	TSE savings including reduced BSE testing	2.7
9.	To have in place Bovine TB and Brucellosis policies that encourage farmers to prevent the introduction of disease and avoid the reintroduction of disease in their herds	0.8
10.	Reduction in animal disease levels leading to less compensation	0.7
11.	More efficient identification, registration and movement of animals	0.3
	<b>Total</b>	<b>12.2</b>



## Efficiency Savings Proposals

**Mr Elliott** asked the Minister of Agriculture and Rural Development to outline what efficiency savings have been put in place since May 2007. (AQW 8798/09)

**The Minister of Agriculture and Rural Development:** We have a target to deliver £6.2m, £12.2m and £18.1m cumulative cash releasing efficiency savings in the 2008/09, 2009/10 and 2010/11 respectively. A summary of our 12 Efficiency Delivery Plans (EDPs) is set out in the table below.

Description of Efficiency	2008/09 £m	2009/10 £m	2010/11 £m
Accommodation capital expenditure reduction	0.40	0.40	0.40
Staff efficiencies from external transfer of certain Rural Development programme delivery	0.79	1.20	1.20
Re-balance of NIRDP funding enabling savings to the National Less Favoured Areas baseline	2.00	2.00	2.00
Additional Forest Service receipts	1.09	1.00	1.00
Mainstreaming Food Strategy spend into existing baselines	1.00	1.50	1.44
AFBI – Reprofitting DARD work programme; improved procurement and use of shared services	0.72	1.42	2.11
Retender Genotyping contract	0.20	0.20	0.20
TSE savings including reduced BSE testing	0	2.66	4.15
To have in place Bovine TB and Brucellosis policies that encourage farmers to prevent the introduction of disease and avoid the reintroduction of disease in their herds	0	0.83	1.83
Reduction in animal disease levels leading to less compensation	0	0.73	1.31
More efficient identification, registration and movement of animals	0	0.29	1.56
Ad hoc process efficiencies	0	0	0.87
<b>Total EDPs</b>	<b>6.20</b>	<b>12.23</b>	<b>18.07</b>

## Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to outline which recommendations from her Department's 2002 review of its Bovine TB Eradication Policy have, and have not, been implemented and the reasons for this. (AQW 8822/09)

**The Minister of Agriculture and Rural Development:** Following the 2002 TB Policy Review, my Department introduced a phased package of new measures to strengthen and improve the TB programme. Some of these measures cover Brucellosis as well as TB. The following measures have been implemented:

- tighter restrictions on overdue tests;
- changes to the valuation system;
- changes to the existing compensation arrangements have been addressed in part, through the changes that have been made to the valuation system;
- a Badger Stakeholder Group was established to review all the information available from badger studies carried out in Britain, in the south of Ireland and in the north of Ireland;
- a working group was established to review the use of the Gamma Interferon blood test for TB;
- a legislative change was introduced in 2004 to make it compulsory for farmers to maintain fences to prevent contact with animals on adjoining land and to prevent his herd from straying;
- the importance of boundary fencing as good biosecurity practice has been highlighted in the Biosecurity Code;
- the in-house resource allocated to TB testing has been increased
- a working group was established to review APHIS and recommend improvements;
- the registered dealers list has been brought into compliance with EU requirements;
- a scientific project on the biometric identification of cattle has been undertaken;

- a study into the use of digitised mapping of farms for disease control has been undertaken;
- an Animal Health and Welfare Stakeholder Forum has been established, which considers TB and Brucellosis matters;
- an animal health challenge programme has been established;
- consideration was given as to whether to introduce mandatory pre-movement testing for TB.

In addition, powers are proposed in the Diseases of Animals Bill, which is currently going through the Assembly, to provide for the use of biometric identification, for an enhanced dealer registration system for trade within the north, and for disease-specific statutory biosecurity guidance.

A review of the existing testing arrangements has been carried out by Deloitte consultants, and has been published on the DARD website in February 2008.

Following the 2002 TB Policy Review, further work was done to assess the costs and benefits of removing animals after the second time inconclusive TB result. As the conclusion was that the costs of removing animals at the second retest would outweigh the benefits, to date my Department has continued to remove animals at the third retest.

As you may be aware, the Public Accounts Committee report has made recommendations regarding a number of the areas outlined above. My Department will consider the Committee's report fully and a detailed Memorandum of Reply will be laid before the Assembly, setting out the considered response to the issues raised.

### **Bovine TB**

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail her Department's plans to ensure a better quality of testing for Bovine TB. (AQW 8823/09)

**The Minister of Agriculture and Rural Development:** As you may be aware, the Public Accounts Committee report has made a number of recommendations regarding the improvement of the quality of testing for bovine tuberculosis. My Department will consider the Committee's report fully and a detailed Memorandum of Reply will be laid before the Assembly, setting out the considered response to the issues raised.

### **Bovine TB**

**Mr Savage** asked the Minister of Agriculture and Rural Development when she will implement the recommendations contained in the 2006 consultant report on Bovine TB testing arrangements. (AQW 8824/09)

**The Minister of Agriculture and Rural Development:** As you may be aware, the Public Accounts Committee report has made a recommendation regarding the implementation of the recommendations of the 2006 report entitled Review of Bovine Tuberculosis Testing Arrangements. My Department will consider the Committee's report fully and a detailed Memorandum of Reply will be laid before the Assembly, setting out the considered response to the issues raised.

### **Bovine TB**

**Mr Savage** asked the Minister of Agriculture and Rural Development if her Department has any plans to enter into discussions with the cattle industry about pre-testing for Bovine TB. (AQW 8825/09)

**The Minister of Agriculture and Rural Development:** As you may be aware, the Public Accounts Committee report has made a recommendation regarding pre-movement testing. My Department will consider the Committee's report fully and a detailed Memorandum of Reply will be laid before the Assembly, setting out the considered response to the issues raised.

### **Bovine TB**

**Mr Savage** asked the Minister of Agriculture and Rural Development to outline her Department's policy on pre-movement Bovine TB testing, and the reasons they adopted this policy. (AQW 8828/09)

**The Minister of Agriculture and Rural Development:** In the north, TB herd testing is carried out annually in accordance with EU Directive 64/432. The Directive requires that pre-movement testing is carried out on all eligible cattle exported to the EU, and provides derogation for domestic trade. My Department's policy on pre-movement testing is to comply fully with the EU requirement, and also to require pre-movement testing for eligible animals exported to Britain. We otherwise avail of the derogation for trade within the north.

My Department's assessment has been that as we carry out TB testing annually in the north, the cost of introducing mandatory pre-movement testing for all categories of animals in the north would outweigh the benefits.

However, my Department identified a gap in the testing in relation to single animals that miss an annual herd test. In order to plug this gap, in July 2008 a requirement was introduced for a pre-movement test for the specific category of single animals that have missed their annual herd test. Movement of such animals are restricted after 15 months, and remain so until they are TB tested.

### Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to outline her Department's commitment to Bovine TB eradication. (AQW 8854/09)

**The Minister of Agriculture and Rural Development:** My Department has a strategic objective to reduce and eradicate bovine TB. We have made considerable progress with TB in recent years, since peak levels for the disease in 2002. Our assessment is that the TB programme we have been implementing in recent years, which is based largely on cattle controls, has been successful in reducing TB in cattle here. Importantly, it has supported trade in live cattle and products.

There are many factors that can potentially affect the level of TB and to eradicate this disease, we will need to deal effectively with all the factors. It is also clear that to eradicate TB will be a long-term process. The new TB strategy that I announced in December is a holistic approach based on addressing three key strands together – real partnership between Government and industry, controlling the spread of TB between cattle, and addressing the wildlife factor. It is an agreed joint industry/Government approach for how we deal with TB, and it is a phased strategy to move towards the eradication of TB in a cost-effective way and in a realistic timeframe. The ultimate aspiration is the eradication of TB.

### Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail how many new strains of Bovine TB have been found in the past year and what their origins are. (AQW 8856/09)

**The Minister of Agriculture and Rural Development:** In the past year, 26 new strains of bovine TB have been identified through surveillance of cattle herds with confirmed TB in the north of Ireland. DARD-funded research at the Agri-Food and Biosciences Institute (AFBI) has shown that bovine TB strains show strong geographical clustering to particular regions. New strains develop as a result of mutation in existing TB strains and share the same geographic origin as the parent.

### Bovine TB

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail the effectiveness of her Department in locating the origins of the various strains of Bovine TB. (AQW 8857/09)

**The Minister of Agriculture and Rural Development:** New laboratory tests allow scientists to identify a number of bovine TB strain types. Mapping of these strains shows striking geographic clustering with certain strains more likely to be found in specific areas. In certain cases, this typing allows investigators to propose geographic sources for outbreaks. In conjunction with tracing through conventional cattle movement recording data on the Department's computer tracing system (APHIS), this provides an additional tool to assist in the investigation of disease outbreaks and analysis of disease spread and control.

Work is underway to strain type every TB lesion found at slaughter. Use of this new technology is in its early stages so as yet there is insufficient information to show how effective its application is likely to be.

### June Monitoring Round

**Mr Savage** asked the Minister of Agriculture and Rural Development to detail what bids were made to DFP for funding in the June monitoring round, and for what specific projects. (AQW 8859/09)

**The Minister of Agriculture and Rural Development:** The June Monitoring bids are set out in the table, below, none of which were met:

	£m
Bovine TB Compensation	6.1
Brucellosis Compensation	0.5
NIRDP – Less Favoured Areas 2010 Scheme	2.9
NIRDP – Axis 2 – Environmentally Sensitive Areas Scheme legacy commitments	0.4
	9.9

### Press and Public Relations

**Mr Gardiner** asked the Minister of Agriculture and Rural Development to detail the number of staff employed in the Department's press and public relations department and their overall cost in each year from 2003/04 to 2008/09. (AQW 8924/09)

**The Minister of Agriculture and Rural Development:** The Department of Agriculture & Rural Development Press Office provides communication services for both the Core Department and its Agencies. A breakdown of staff by grade, discipline and costs for each year from 2003 to 2009 is detailed in the tables attached.

#### DEAPRTMENT OF AGRICULTURE & RURAL DEVELOPMENT

Year	Number of Staff by Grade		Total Cost
2003-04	Casual AA	5	£311,333
	AA	0	
	AO	3	
	Tech Grade 1	0	
	EOII	5	
	EOI	1	
	Assistant Information Officer (EOI)	0	
	Staff Officer	0	
	Information Officer(SO)	2	
	Senior Information Officer (SIO)	1	
	PTO	2	
	Principal Information Officer	1	



Year	Number of Staff by Grade		Total Cost
2004-05	Casual AA	2	£320,156
	AA	1	
	AO	4	
	Tech Grade 1	0	
	EOII	4	
	EOI	1	
	Assistant Information Officer (EOI)	0	
	Staff Officer	0	
	Information Officer(SO)	1	
	Senior Information Officer (SIO)	1	
	PTO	2	
	Principal Information Officer	1	
2005-06	Casual AA	0	£327,745
	AA	1	
	AO	6	
	Tech Grade 1	0	
	EOII	2	
	EOI	5	
	Assistant Information Officer (EOI)	1	
	Staff Officer	0	
	Information Officer(SO)	0	
	Senior Information Officer (SIO)	1	
	PTO	0	
	Principal Information Officer	1	
2006-07	Casual AA	0	£238,597
	AA	2	
	AO	2	
	Tech Grade 1	0	
	EOII	1	
	EOI	3	
	Assistant Information Officer (EOI)	1	
	Staff Officer	0	
	Information Officer(SO)	1	
	Senior Information Officer (SIO)	1	
	PTO	0	
	Principal Information Officer	1	

Year	Number of Staff by Grade		Total Cost
2007-08	Casual AA	0	£312,875
	AA	1	
	AO	2	
	Tech Grade 1	1	
	EOII	2	
	EOI	0	
	Assistant Information Officer (EOI)	1	
	Staff Officer	0	
	Information Officer(SO)	2	
	Senior Information Officer (SIO)	3	
	PTO	2	
	Principal Information Officer	1	
2008-09	Casual AA	0	£410,155
	AA	1	
	AO	2	
	Tech Grade 1	1	
	EOII	3	
	EOI	0	
	Assistant Information Officer (EOI)	1	
	Staff Officer	1	
	Information Officer(SO)	2	
	Senior Information Officer (SIO)	3	
	PTO	2	
	Principal Information Officer	1	

### Farm Modernisation Scheme

**Mr Bresland** asked the Minister of Agriculture and Rural Development what percentage of successful applicants for the Farm Modernisation Scheme submitted their applications by post. (AQW 8942/09)

**The Minister of Agriculture and Rural Development:** The process of issuing Letters of Offer to successful applicants to the Farm Modernisation Programme is ongoing. Based on the ratio of postal applications received to those received over the counter, the projected number of successful postal applications will be 26.83%.

### Floods

**Mr Kinahan** asked the Minister of Agriculture and Rural Development what interim measures his Department is taking to help people whose houses were flooded in August last year and whose insurance has increased, either in financial terms or in practical terms. (AQW 8946/09)

**The Minister of Agriculture and Rural Development:** Since the severe flooding in August 2008 my Department has taken the lead within government in seeking to reach agreement with the insurance industry to ensure that flood insurance remains as affordable and widely available as possible. The method of achieving this is through a Statement of Principles with the Association of British Insurers. We are at an advanced stage and I hope to reach agreement with my Executive colleagues on this matter in the near future.

### Ulster Farm By-Products Plant

**Mr Burns** asked the Minister of Agriculture and Rural Development how much meat and bone meal is produced every year by the Ulster Farm By-products plant, Glenavy. (AQW 8982/09)

**The Minister of Agriculture and Rural Development:** DARD gather data on Meat and bone meal yield as part of the routine monthly Animal By Product inspections. However, this information is provided in confidence and is commercially sensitive. The disclosure of this information could prejudice commercial interests.

### DEPARTMENT OF EDUCATION

#### Neighbourhood Renewal

**Mr Durkan** asked the Minister of Education why she has not yet released the report her Department has completed on its responsibilities under Neighbourhood Renewal, as promised in her letter of 8 August 2008, and if she will indicate when those findings will be made public. (AQW 5746/09)

**The Minister of Education (Ms Ruane):** Gabhaim leithscéal as an mhoill ar fhreagairt do cheiste. D'iarr mé ar Oifigigh an tuarascáil a athbhreithniú agus tá an obair bhreise seo anois críochnaithe. Tá fionnachtana na tuarascála seo á mbreithniú agam faoi láthair agus foilseofar don phobal iad a luaithe a chomhaontaím ábhar na tuarascála.

I apologise for the delay in responding to your question. I had asked my Officials to review the report and this further work has now been completed. I am in the process of considering the findings of this report and will make them public as soon as I have agreed the contents of the report. I am sure you will appreciate the need for careful consideration given that I have been asked to review 38 projects that are currently being funded by the Department for Social Development.

#### European Law

**Mr McCartney** asked the Minister of Education for an update on the Department's review of the effect of European law on those living in the south of Ireland who wish to send their children to schools in the north of Ireland. (AQW 8251/09)

**The Minister of Education:** Baineann an t-athbhreithniú atá á dhéanamh ag an Roinn le reachtaíocht iontrála is inléanta, faoi Airteagal 16(4) den Ordú Oideachais 1998, caitfidh scoileanna tosaíocht a thabhairt do gach cónaitheoir sa Tuaisceart thar iarrathóirí ar bith ón Deisceart. Is é an tuairim atá agam ná gur chóir fáil réidh leis na hAirteagail seo agus beidh mé ag tabhairt moltaí isteach dá réir sin.

The review that the Department is undertaking is into admissions legislation whereby, under Article 16(4) of the Education (NI) Order 1997 and Article 32(4) of the Education (NI) Order 1998, schools are required to prioritise all northern residents over any applicants from the south. My view is that these Articles should be deleted and I will be bringing forward proposals accordingly.

The main reason I wish this law to be deleted is because it is at odds with the reality of the way people in border areas live and access services. Children should be able to apply on equal terms to their nearest local school no matter which county in Ireland it is in.

There is also the reason that our legislation may be in conflict with European law. Only a ruling would establish this and the case would be complex, however, regardless of this the law needs changing.

#### Nursery Places

**Mrs Long** asked the Minister of Education to detail (i) the number of nursery places available in each school; (ii) the number of places taken up in each school; and (iii) any over-subscription/waiting lists for nursery places, broken down by Education and Library Board area, in each of the last three years. (AQW 8742/09)

**The Minister of Education:** Cuirfear an t-eolas a iarradh ar fáil i Leabharlann an Tionóil.

I have arranged for the information requested to be placed in the Assembly Library.

### Swine Flu

**Lord Browne** asked the Minister of Education what measures against swine flu will be in place at schools after the summer holidays. (AQW 8761/09)

**The Minister of Education:** Beidh mo Roinn ag obair go dlúth leis an Ghníomhaireacht um Shláinte Phóiblí, leis na Boird Oideachais agus Leabharlainne agus Comhairle na Scoileanna Caitliceacha faoi Chothabháil le measúnú a dhéanamh ar fhorbairtí um fhliú na muc i rith laethanta saoire an tsamhridh agus cuirfidh an Roinn comhairle cothrom le dáta ar fáil do scoileanna agus an earnáil oideachais níos leithne a léireoidh an tuairim liachta is deireanaí bunaithe ar na forbairtí is deireanaí agus scoileanna agus an earnáil is leithne ag ullmhú don athoscailt sa bhliain nua scoile ag deireadh mí Lúnasa agus ag tús mí Mheán Fómhair.

My Department is working closely with the Public Health Agency, the Education and Library Boards and the Council for Catholic Maintained Schools to assess swine flu developments over the summer holidays and will provide up to date advice and guidance to schools and the wider education sector that will reflect the latest medical opinion based on the most recent developments as schools and the wider education sector prepare to reopen for the new school year in late August and early September.

I have attended meetings with the Health Minister Michael McGimpsey and I will continue to work closely with him and Executive colleagues to manage Swine Flu developments.

### Epilepsy

**Mr G Robinson** asked the Minister of Education which outside bodies, including charitable organisations, have been consulted by her Department about teacher training on epilepsy in the last five years. (AQW 8874/09)

**The Minister of Education:** Rinne an Roinn Oideachais comhairliúchán le roinnt forais sular éisíodh caipéis na Roinne “Ag tacú le Daltaí le Riachtanais Leighis” sa bhliain 2008, a sholáthraíonn treoir do scoileanna lena chinntiú go ndéantar freastal ar dhaltaí a bhfuil riachtanais leighis orthu, le titmeas san áireamh, sna scoileanna. Bhí Ceardchumainn na Múinteoirí agus grúpa fócais curtha san áireamh leis seo, a raibh ionadaithe ón Chigireacht um Oiliúint agus Oideachas, ón Roinn Sláinte, Seirbhísí Sóisialta agus Sábháilteachta Poiblí, óna hIonabhaí Sláinte, óna Boird Oideachais agus Leabharlainne, ó Chomhairle na Scoileanna Caitliceacha faoi Chothabháil agus ó Ardscoil áitiúil cuimsithe leis.

Prior to the issuing of the Department’s document “Supporting Pupils with Medical Needs” in 2008, which provides guidance to schools to ensure that all pupils with medical needs, including epilepsy, could have their needs met in school, the Department of Education consulted with a number of bodies. This included Teachers’ Unions and a focus group, which comprised of representatives from the Education and Training Inspectorate, the Department of Health Social Services and Public Safety, Health Trusts, Education and Library Boards, the Council for Catholic Maintained Schools and a local High School.

### Post-Primary Transfer

**Mr G Robinson** asked the Minister of Education if, and when, she intends to bring forward plans for post-primary transfer that will command cross-party support. (AQW 8875/09)

**The Minister of Education:** The arrangements for post-primary transfer described in the Department of Education’s published transfer 2010 guidance attracted supportive comments from 3,054 (95% of all) respondents to the two consultations which preceded its publication.

Nuair a fheicfear oideachasóirí ag obair laistigh den Treoir ag tabhairt oideachais d’ardchaighdeán do gach páiste, tá mé cinnte dearfa de go n-aithneofar nárbh fhéidir leanúint leis an tseanchóras agus b’fhéidir go bhfillimid ar cheist na reachtaíochta ag an am sin.



I am convinced that when educationalists are seen to be working within the Guidance and delivering a quality education for all children, there will be a realisation that the old system could not continue. At that time, we can return to the issue of legislation.

### Teachers' Salaries

**Mr Hamilton** asked the Minister of Education the average salary of a teacher in Northern Ireland.

(AQW 8908/09)

**The Minister of Education:** Is é méid mheán ollphá na múinteoirí i dTuaisceart na hÉireann sa bhliain 2008/2009 ná £34,682.24 nuair a áirítear é le scálaí pá atá bainteach leis na Príomhoidí, na Leas Phríomhoidí agus le gach múinteoir eile. Nuair atá compáraid déanta ar an mheán ollphá gan scálaí pá na bPríomhoidí agus na Leas-Phríomhoidí curtha san áireamh, is é an méid atá air ná £33,003.42 sa bhliain 2008/2009.

The average gross salary of a teacher in the north of Ireland in 2008/2009 is £34,682.24 when calculated including Principal/Vice Principal and all other related teachers' salary bands. When the average gross salary is collated excluding those of Principals/Vice Principals it amounts to £33,003.42 in 2008/2009.

### Classroom Assistants' Salaries

**Mr Hamilton** asked the Minister of Education the average salary of a classroom assistant in Northern Ireland.

(AQW 8909/09)

**The Minister of Education:** Socraíodh trí shainchuntas poist cineálach le haghaidh cúntóirí ranga mar thoradh ar Aontú Phostmheastóireachta Chomhairle Comhidirbheartaíochta na mBord Oideachais agus Leabharlainne i mí na Samhna 2007, agus rinneadh gradú orthu d'fhonn tuarastál mar a leanas:

The Education and Library Boards' Joint Negotiating Council Job Evaluation Agreement in November 2007 led to three generic job descriptions being agreed for classroom assistants and which were graded for salary purposes as follows:

- Classroom Assistant Mainstream

This job description applies to classroom assistants working with children in mainstream schools.

- Classroom Assistant Special Needs

This job description applies to classroom assistants working with children with special needs in both mainstream and special needs schools.

- Classroom Assistant Additional Special Needs

This job description applies to classroom assistants who are required to undertake duties with children who have the most severe learning difficulties and are most likely to be found in special needs schools.

The current salary scales for each of these grades are set out in the attached table. However, the salary for each classroom assistant depends on a number of factors including their grade, their length of service, the hours they work, whether they are on protected salary terms as a result of the November 2007 Agreement, whether they are protected as a result of the term time agreement in 2003, or whether they are employed on a 38 week or a 52 week contract. With so many separate factors determining salary, it is not possible for the Education and Library Boards to provide a meaningful average salary for a classroom assistant.

#### JOB EVALUATION: CLASSROOM ASSISTANT SCALES EFFECTIVE FROM 1 APRIL 2008

Grade	Scale Point	Annual Salary	Hourly Rate
	6	12,334	6.5706
Classroom	8	13,027	6.9398
Assistant	10	13,703	7.2999
Mainstream	11	14,587	7.7709
	12	14,891	7.9328

Grade	Scale Point	Annual Salary	Hourly Rate
	13	15,291	8.1459
Classroom	14	15,570	8.2945
Assistant	15	15,895	8.4677
Special	16	16,278	8.6717
Needs	17	16,663	8.8768
Classroom	18	16,991	9.0515
Assistant	19	17,626	9.3898
Additional	20	18,270	9.7329
Special	21	18,937	10.0882
Needs	22	19,427	10.3492
	23	19,998	10.6534
	24	20,652	11.0018
	25	21,306	11.3502

**Notes:-**

1. Based on 36 hour divisor
2. Hourly divisor = 1877.1429 (36 hours per week x 365 days)  
7 days per week

**Teachers: Attacks on**

**Mr Ross** asked the Minister of Education to provide statistics on how many (i) primary; and (ii) secondary school teachers have been attacked at work by (a) pupils; and (b) parents broken down by Education and Library Board area, in each of the last five years. (AQW 8970/09)

**The Minister of Education:** Ni bhailíonn an Roinn Oideachais an t-eolas a iarradh.

The Department of Education does not collect the information requested.

However, statistics on the reasons for suspensions and expulsions of pupils are gathered each school year from Education and Library Boards. The table below provides the number of occasions where pupils were suspended or expelled for physical attack on staff in primary and post-primary schools in each of the last five years:-

	Number of suspensions for physical attack on staff		Number of expulsions for physical attack on staff	
	Primary	Post-primary	Primary	Post-primary
2003/04	62	208	0	7
2004/05	52	164	0	7
2005/06	45	187	0	4
2006/07	66	181	0	5
2007/08	52	132	0	1

**Notes**

1. These figures relate to all pupils undertaking Key Stage 1-4 in primary and post-primary schools.
2. The information reflects the number of individual suspensions, as opposed to the number of pupils suspended. Pupils may be suspended more than once.

A working group was established last year under the aegis of the Teacher Negotiating Committee (TNC) to examine the problem of abuse of teachers, whether physical, verbal or electronic. A new document, Tackling Violence against Staff in Schools, has been agreed by the TNC and will issue to schools in the new school year. The document includes guidance on the handling, recording and reporting of violent incidents against staff in schools.

## Teachers and Classroom Assistants

**Mr Weir** asked the Minister of Education how many (i) teachers; and (ii) classroom assistants are currently employed. (AQW 8993/09)

**The Minister of Education:** Soléiríonn an t-eolas atá leagtha amach thíos an t-eolas is déanaí ar fáil sa Roinn agus sna Boird Oideachais agus Leabharlainne agus eisiaíonn sé na foirne atá fostaithe i scoileanna neamhspleáigh. Tá foireann idir buan agus sealadach curtha san áireamh.

The information set out below reflects the latest data available in the Department and in the Education and Library Boards and excludes staff employed in independent schools. It includes both permanent and temporary staff.

Number of Teachers	Number of Classroom Assistants
20,858	7916

## Secondary Schools

**Mr Dallat** asked the Minister of Education what steps she intends to take to ensure that secondary schools which have been oversubscribed are not penalised either by compelling them to refuse admission to new pupils or taking legal action against them if they have the space and accept pupils exceeding the ‘quotas’ imposed. (AQW 8999/09)

**The Minister of Education:** Leagann an Roinn síos na líonta faofa iontrála agus rollaithe do na scoileanna dheontas chúnta ar fad. Tá na líonta seo socraithe leis na húdaráis bainistíochta, agus leis na scoileanna, ag tabhairt aird ar thoilleadh fisiciúil buan na scoileanna agus an líon Rollaithe Fad Téarmach más bainteach.

The Department sets the approved admission and enrolment numbers of all grant-aided schools. These numbers are agreed with the managing authorities, and with the schools, having regard to the permanent physical capacity of schools, and the Long Term Enrolment number if applicable.

Articles 10(2)(a) and (b) of the Education (NI) Order 1997 provide that a Board of Governors shall not cause or permit the number of registered pupils at the school at any time to exceed the school’s admissions and enrolment numbers. This is a statutory requirement and any Board of Governors which fails to comply with this requirement will be acting unlawfully. In such a situation, the Department will take whatever measures are appropriate to support this statutory requirement on all Boards of Governors not to exceed their admissions and enrolment numbers. Ultimately, the Department has the power under Article 101 of the Education and Libraries (NI) Order 1986 to reverse any Board of Governors’ decision that represents a failure to comply with Articles 10(2) (a) and (b) by directing them not to exceed their admissions and enrolment numbers.

## DEPARTMENT FOR EMPLOYMENT AND LEARNING

### Queen’s University Academic Plan

**Mr Ford** asked the Minister for Employment and Learning if he was aware of the content of the Queen’s University Academic Plan before its contents were made public; and for his assessment of the Academic Plan, as passed by Senate on 23 June 2009 including its effects on teaching at Queen’s, and the wider impact the Academic Plan could have on the local economy and employment. (AQW 8785/09)

**The Minister for Employment and Learning (Sir Reg Empey):** I did not see the Queen’s University 2009 Academic and Financial Plan prior to its agreement by Senate. I understand that the Plan, in anticipation of a worsening economic climate, proposes some restructuring to ensure the best use of staff resources and the University believes that this will not detract from either its teaching or research activities. Some staff will be offered voluntary early retirement/severance and this may impact on local employment figures.

I am due to meet the University’s Vice-Chancellor in the near future and will be discussing the Academic and Financial Plan with him.

### Adults with a Learning Disability

**Mrs McGill** asked the Minister for Employment and Learning to outline (i) his Department's responsibility for providing for the adults with a learning disability population; and (ii) what his Department is doing to ensure that adults with a learning disability schemes are continued and developed in light of reductions in the Department of Health, Social Services and Public Safety's provision in this area. (AQW 8816/09)

**The Minister for Employment and Learning:** The Department funds a range of education, training and employment provision for people with disabilities. The provision is open to people with all types of disabilities including people with learning disabilities. This provision includes:

- a) Further Education – Adults with learning difficulties have access to a wide range of courses in Further Education colleges. Where possible, Colleges offer dedicated courses for students for whom mainstream provision is not suitable. Through its Additional Support Fund, the Department provides Colleges with up to £3.5m to meet additional costs of support for students with learning difficulties or disabilities.
- b) Training Programmes Branch is responsible for the funding and delivery of the Department's flagship training programmes, Training for Success and ApprenticeshipsNI as well as the residual cohort from the former Jobskills Training Programme. Specialist support is available to assist people with disabilities.
- c) The Northern Ireland European Social Fund (NIESF) Programme 2007-13 is designed to reduce economic inactivity and increase workforce skills. Priority 1 helps unemployed people, especially those at a disadvantage in the labour market, into sustainable employment. This includes people with health conditions and disabilities. Specific Information on participants with a learning disability is not held. A total of 15 projects, aimed specifically at participants with disabilities and health conditions, were successful under the first call for Priority 1.
- d) The Department's Disablement Advisory Service (DAS) funds a range of pre-vocational, vocational and training provision for people with disabilities. This provision is of a pan-disability nature and there is no specific provision for people with specific disabilities, including learning disability. The provision includes the following: Workable (NI), Employment Support (closed to new entrants), New Deal for Disabled People, Access to Work (NI), Condition Management Programme (part of Pathways to Work), Work Preparation Programme (part of Pathways to Work), residential training and an Occupational Psychology service. People with learning disabilities can avail of all DAS provision.

#### Part (ii)

The Department will continue to make provision available to assist people with disabilities as outlined above. Reductions in schemes operated by the Department of Health, Social Services and Public Safety are a matter for that Department. However, I understand that the Department will continue to provide alternative, appropriate services to people with disabilities.

### Adults with a Disability

**Mrs McGill** asked the Minister for Employment and Learning if he has had any discussions with the Minister of Health, Social Services and Public Safety about developing an inter- departmental strategy to ensure that the holistic service needs of the adults with a disability population, including care, respite and training are being fully met. (AQW 8819/09)

**The Minister for Employment and Learning:** I am a member of the Inter-Ministerial Group on Mental Health and Learning Disability Chaired by Minister McGimpsey that was established to co-ordinate the Executive's response to the Bamford review that addresses a wide range of topics including training and employment as well as care and other issues. I am also happy to engage with Minister McGimpsey in taking forward any future work to address disability issues.

### Adults with a Learning Disability

**Mrs McGill** asked the Minister for Employment and Learning to provide a detailed breakdown of the amount of funding allocated to adults with learning disability provider organisations in each District Council area, in each of the last three years. (AQW 8820/09)



**The Minister for Employment and Learning:** The Department funds a wide range of education, training and employment provision for people with disabilities. The provision is open to people with all types of disabilities including people with learning disabilities. Funding to deliver disability provision is not awarded on a District Council area basis and it is not possible to disaggregate funding on this basis. Provision for people with learning disabilities is provided by both learning disability specialist and pan-disability organisations. The provision funded by the Department that can assist people with disabilities includes Further Education, Training for Success, Pathways to Work, European Social Fund projects and disability employment programmes such as Workable (NI), Access to Work and the Job Introduction Scheme.

### Undergraduate Places

**Mr Hamilton** asked the Minister for Employment and Learning the average subsidy for each undergraduate place in Northern Ireland. (AQW 8910/09)

**The Minister for Employment and Learning:** The Department for Employment & Learning pays recurrent teaching grant to the Northern Ireland universities using the Higher Education Funding Council for England (HEFCE) funding model. As well as taking account of student numbers and form of delivery (full-time /part-time), the methodology recognises that different subjects require different levels of resource and may therefore be more expensive to deliver. Each subject is accordingly assigned to one of four price group Bands, A - D.

In the current academic year 2008/09, the average grant generated under each of these bands is as follows:

Band	Description	Average Grant
A	The clinical stages of medicine and dentistry courses and veterinary science	£17,585
B	Laboratory-based subjects (science, pre-clinical stages of medicine and dentistry, engineering and technology)	£6,858
C	Subjects with a studio, laboratory or fieldwork element	£4,993
D	All other subjects	£3,593

The overall average grant for each undergraduate place across both universities is therefore £5,279.

The above rates do not take account of additional funding paid to the universities which does not apply to all students. For example, funding to recognise the additional costs associated with recruiting and supporting students from disadvantaged backgrounds or of supporting students with disabilities.

In addition to the above, the average cost of student support for a full-time undergraduate is £1,952.

### Press and Public Relations Department

**Mr Gardiner** asked the Minister for Employment and Learning to detail the number of staff employed in his Department's press and public relations department and their overall cost in each year from 2003/04 to 2008/09. (AQW 8931/09)

**The Minister for Employment and Learning:** The details of the staff employed in press and public relations duties within the Department, and their overall costs for the financial years from 2003/04 to 2008/09, are contained on the following table:

Year	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
No. of Admin Staff	14	13	12	16	9	10
No. of Info Staff	2	3	2	4	5	7
No. of Other grades	0	0	0	0	0	0
Total Staff	16	16	14	20	14	17
Total Costs	£372,910	£346,657	£412,859	£461,844	£485,223	£470,636

### Undergraduate Places

**Mr Weir** asked the Minister for Employment and Learning how many undergraduate places there were in 2008/09 at the University of Ulster and Queen's University; and how many places there will be in the upcoming academic year. (AQW 8992/09)

**The Minister for Employment and Learning:** The undergraduate Maximum Student Number (MaSN) allocation for each university in academic year 2008/09, and the provisional allocation for 2009/10, is shown below:

Academic Year	Queen's University Belfast	University of Ulster	Total
2008/09	11,055	12,523	23,578
2009/10	11,133	12,523	23,656

The actual allocations for 2009/10 will be confirmed in Grant Letters due to issue to the universities before the start of the new academic year.

The MaSN does not apply to full-time undergraduate students from outside the European Union, to part-time undergraduates or to most postgraduate students.

## DEPARTMENT OF ENTERPRISE, TRADE AND INVESTMENT

### Inward Investment in County Fermanagh

**Mr Doherty** asked the Minister of Enterprise, Trade and Investment to provide figures on (i) the level of inward investment into County Fermanagh from 2006 to 2009 and (ii) the number of jobs created by this investment. (AQW 8765/09)

**The Minister of Enterprise, Trade and Investment (Mrs Foster):** As Invest NI performance data is captured on a District Council and Parliamentary Constituency basis, the information provided is in relation to the Fermanagh District Council area (DCA).

During the three years in question, Invest NI made 229 offers of support to clients in the area comprising almost £12 million of assistance and contributing towards a total planned investment of £112 million.

£7.3 million of this assistance was to externally-owned projects (inward investment) seeking to locate in Fermanagh. These projects planned to invest £53 million and included 10 employment-related offers of support. These 10 offers amounted to £6.6 million of assistance, which contributed towards projects that planned to invest £51 million and create nearly 700 new jobs in companies such as Castle Hume Leisure, Western Brand Poultry Products and Sloane Helicopters. The remaining £700,000 was offered to innovation and capability development projects by externally-owned clients that planned to invest a total of £2.3 million.

While support to externally-owned clients is important, so too is that to locally-owned clients. In the same three year period, approximately £4.4 million of the total £12 million of assistance offered was to locally-owned businesses. This supported 204 projects and contributed towards £58.4 million of investment commitments by companies such as Quinn Glass, Erne Extrusions, Balcas Timber, Tenderlean Meats and Kettyle Foods.

Invest NI has also continued to support the strategically important tourism sector in the area to allow tourism businesses to grow and increase their competitiveness. This has included significant offers to projects such as the Lough Erne Golf Resort and Manor House Hotel.

Between 1st April 2006 and 31st March 2009, 619 start-up projects by locally-owned businesses in Fermanagh DCA were offered £730,000 of assistance, 606 of which were through the Start A Business programme. Indeed, start-up activity in Fermanagh DCA during the period in question equates to 126 Start A Business programme offers per 10,000 adult population, (the Northern Ireland rate is 62), which is the highest rate of all DCAs in Northern Ireland.

Assistance patterns are largely demand-led by businesses wishing to improve their competitiveness and gain a larger share of international markets. Invest NI's role is therefore to promote all of Northern Ireland as an

attractive and viable location for inward investment opportunities. As such, its promotional effort is not subdivided into regions as to do so would be ineffective, inefficient and ultimately confusing to the client.

Invest NI is also conscious of the impact of global economic conditions and, despite the fact that there is evidence of companies deferring investment decisions and reviewing business strategies, the agency continues to work closely with its locally-owned, externally-owned and prospective clients to promote investment in Fermanagh and across Northern Ireland.

### McIlldoon Report

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what steps her Department has taken, and plans to take, in response to the recommendations of the McIlldoon Report. (AQW 8876/09)

**The Minister of Enterprise, Trade and Investment:** The report into the electricity price setting process, completed by Mr Douglas McIlldoon, in relation to the October 2008 electricity price review, concluded that there were no anomalies or short comings within the process followed by the Utility Regulator.

Senior officials within my Department have met with Mr McIlldoon to discuss his report, and the report implications have also been discussed with the Utility Regulator. Some of the wider issues arising from the report have been considered in the context of the Department's ongoing review of the Strategic Energy Framework which has now issued for consultation.

### Electricity Supply Industry

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what her Department will do to ensure that the present market mechanisms will drive down electricity prices and deliver a more secure, less fossil fuel dependent electricity supply industry. (AQW 8877/09)

**The Minister of Enterprise, Trade and Investment:** The electricity supply market in Northern Ireland is relatively small but has been open to competition since November 2007. My Department continues to work with the Utility Regulator to encourage new suppliers' participation in the retail electricity market in Northern Ireland, with the aim of achieving best value for consumers. Since the introduction of the Single wholesale Electricity Market there has been increasing interest in obtaining new electricity supply licences, and increased levels of competition in the industrial and commercial electricity sector. However, competition has not developed in the domestic electricity sector, with Northern Ireland Electricity remaining the dominant supplier.

My Department continues to liaise with key stakeholders, including the Utility Regulator and energy companies on key issues such as security of supply, the potential for market mechanisms such as mutualisation to reduce energy costs and minimise energy tariffs, as well as increasing the development of renewable generation to reduce dependency on imported fossil fuels.

A new draft Strategic Energy Framework for Northern Ireland has now issued for public consultation, outlining proposals intended to achieve a secure, competitive, sustainable, long-term future for energy in Northern Ireland.

### Fuel Poverty

**Mr McKay** asked the Minister of Enterprise, Trade and Investment for her assessment of electricity prices; and if more can be done to reduce the domestic price of electricity for those in fuel poverty. (AQW 8878/09)

**The Minister of Enterprise, Trade and Investment:** Although my Department has no direct role in determining electricity prices, it strives in co-operation with the Northern Ireland Authority for Utility Regulation (NIAUR), to create market conditions that, over the long term, drive down electricity prices, with a view to minimising any tariff increases. This has included establishing the Single Electricity Market (SEM) for wholesale electricity and opening of the retail electricity market in Northern Ireland from 1 November 2007, and supporting the mutualisation of energy assets where there is potential to benefit consumers.

Following significant increases in electricity tariffs in 2008, a review conducted by the Utility Regulator with NIE Energy resulted in a 10.8% reduction for domestic electricity customers in January 2009. A further review of tariffs is anticipated in the latter part of 2009. At present electricity tariffs in Northern Ireland are slightly higher than those in comparator regions in Great Britain, while remaining competitive in comparison to electricity prices in the Republic of Ireland.

Lead responsibility for fuel poverty policy lies with the Department for Social Development (DSD), although there are issues which cut across several Northern Ireland Departments. My own Department is represented on the DSD led Fuel Poverty Taskforce which is charged with developing and recommending proposals to ameliorate fuel poverty in Northern Ireland.

### Single Electricity Market

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what discussions has she had with her Republic of Ireland counterpart to harness the Single Electricity Market to the energy and environmental objectives of both Governments. (AQW 8879/09)

**The Minister of Enterprise, Trade and Investment:** The Single Electricity Market was established as a competitive, commercial wholesale market that is independently regulated by the two Regulatory Authorities. The new market has had a successful first year of operation and has begun to deliver benefits for consumers from a more efficient and reliable electricity system, with increased competition, cost reflective prices and new participants and investment entering the market.

This is in keeping with the principal objective and duties of both Departments and both Regulatory Authorities in relation to the Single Electricity Market which are “to protect the interests of consumers of electricity in Northern Ireland and the Republic of Ireland, wherever appropriate by promoting effective competition and commercial activities connected with the sale or purchase of electricity through the Single Electricity Market”. Regard must also be given to the effect on the environment of the activities of licence holders participating in the Market and where appropriate, promote the use of energy from renewable energy sources when carrying out their functions in relation to the Single Electricity Market.

The Department meets with its Irish counterpart, the Department of Communications, Energy and Natural Resources at an official level to discuss common energy matters regularly through a Joint Steering Group that includes representatives of the two Regulatory Authorities. The Group considers co-operation on energy issues that could bring mutual benefits to consumers and reports back to respective Ministers. I also meet with the Irish Energy Minister, Eamon Ryan whenever necessary, to discuss energy matters in the context of each Government’s energy objectives.

### Press and Public Relations Department

**Mr Gardiner** asked the Minister of Enterprise, Trade and Investment to detail the number of staff employed in her press and public relations department; and the overall cost in each year from 2003/04. (AQW 8884/09)

**The Minister of Enterprise, Trade and Investment:** The number of staff employed in the Department of Enterprise, Trade and Investment Press Office and their cost was as follows:

Year	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Cost* (£K)	103	88	107	103	160	141
Staff** at	1/4/04	1/4/05	1/4/06	1/4/07	1/4/08	1/4/09
	3	2	3	3	5	4

#### Notes

\* Cost comprises salary and employers National Insurance and Pension contributions

\*\* Staff comprises Information Officer grades ie Assistant Information Officer, Information Officer, Senior Information Officer and Principal Information Officer.



### Invest NI: American Operation

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment how much Invest NI has spent on (i) staffing; and (ii) all other costs, in each of the last 5 years on its American operation. (AQW 8895/09)

**The Minister of Enterprise, Trade and Investment:** Costs for Invest NI's American operation, broken down by staff costs and other costs, are as detailed in the following table:

	2004-05 £'000	2005-06 £'000	2006-07 £'000	2007-08 £'000	2008-091 £'000
Staff Costs <sup>2</sup>	1,231	1,015	918	879	1,027
Other Costs <sup>3</sup>	1,681	1,550	1,200	1,290	1,477
<b>Total</b>	<b>2,912</b>	<b>2,565</b>	<b>2,118</b>	<b>2,169</b>	<b>2,504</b>

**Notes:**

1. Figures for 2008-09 are provisional and are subject to change.
2. Staff costs include salaries and training costs.
3. Other costs include office running costs, local marketing activity and any other expense attributable to offices located in North America.

### A4e

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment (i) what experience A4e has in providing debt advice in Northern Ireland; and (ii) in determining the award of the telephone debt advice contract, what consideration was given to A4e's delivery record on other public sector contracts in Northern Ireland including Steps to Work. (AQW 8898/09)

**The Minister of Enterprise, Trade and Investment:**

- A4e has no experience of providing telephone based debt advice in Northern Ireland. In their bid the company demonstrated a proven track record of managing and delivering telephone based debt advice services through projects in England.
- The Department considered A4e's bid within the criteria set out in the tender documentation agreed with Central Procurement Directorate. A4e satisfied all the qualifying criteria set out in the tender documents for the contract. The panel only considered the delivery record of A4e on any other public sector contract in Northern Ireland where the company presented this within their bid and was relevant in the selection process.

### A4e

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment, regarding the award of the telephone debt advice contract to A4e (i) whether her Department was aware of the investigation by the Department of Work and Pensions into alleged fraud in A4e operations when it was awarded the contract; (ii) if so, when it became aware of that investigation; (iii) what consideration was given to the matter in the determination of the contract; and (iv) what discussions her Department has had with the Department of Work and Pensions in respect of these matters. (AQW 8900/09)

**The Minister of Enterprise, Trade and Investment:**

- My Department was not aware of the investigation by the Department of Work and Pensions into alleged fraud in A4e operations in an A4e office in Hull when it was awarded the telephone debt advice contract on 24 April 2009.
- It became aware of the allegations on Sunday 28 June when the matter was reported in the media. It was therefore not considered in the determination of the contract.
- At this time my Department has not had any discussions with the Department of Works and Pensions in respect of these matters; and it is satisfied that its procurement of the delivery of a Northern Ireland telephone debt advice service has been carried out in compliance with Northern Ireland procurement policy.

### Arntz Belting Pennyburn Plant

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment, in relation to the Artz Belting Pennyburn plant in the Derry, what levels of contact there have been between (i) her Department; (ii) Invest NI, with (a) local management; (b) company directors; and (c) Optibelt, in respect of economic issues facing the company; and to provide an update on those issues. (AQW 8912/09)

**The Minister of Enterprise, Trade and Investment:** I am being kept informed on a regular basis of the economic issues facing the company by my officials in Invest NI.

As recently as last month, Invest NI offered to liaise directly with the Directors of Arntz Belting Company Ltd and the Parent Company Optibelt Ltd however these parties have expressed a preference that Invest NI Officials continue to deal directly with the Local Site Leader at Pennyburn.

I am aware that Optibelt, the Parent Company of Arntz Belting Company Ltd is considering a number of options as a result of global economic downturn and that these are currently focused on cost reduction options. As yet no decision has been made to close any factories, nor have any specific factories been identified.

I will continue to be appraised of Invest NI's ongoing discussions with the Company in relation to its long-term plans for the Pennyburn Factory with a view to intervening if and when appropriate.

### Invest NI

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment how much has Invest NI spent on flights broken down by (i) class; (ii) destination; and (iii) purpose of journey for each flight, in each of the last five years. (AQW 8958/09)

**The Minister of Enterprise, Trade and Investment:** Since its establishment in 2002, overseas travel has been an integral part of Invest NI's normal operating costs, particularly given its remit to attract inward investment and promote overseas trade. Overall spend information relating to such travel costs has always been included in Invest NI's accounting records and as this was entirely adequate to meet Invest NI's accounting requirements, there was no prior need for flight costs to be recorded separately. Extracting, analysing and reviewing the large number of individual transactions each year to provide the information necessary to answer this question for the five year period referred to would require a major manual exercise which could only be undertaken at disproportionate cost.

However, certain components of this information are available as they were extracted for the purposes of responding to a previous Witten Assembly Question. These relate to travel undertaken by members of Invest NI's Board and Senior Management Team in 2006/07 and 2007/08. Invest NI also changed its travel booking procedures during 2008/09 and this has facilitated a more ready analysis to be made of subsequently incurred flight costs and associated information such as class of travel. This has resulted in equivalent information for a further year now being available to enable this response to cover the three years 2006/07 to 2008/09.

Full travel details for Invest NI Board and Senior Management Team for the years 2006/07, 2007/08 and 2008/09 are provided in Table 1 below. Members of Invest NI's Board and Senior Management Team took a total of 215 flights during this time, 45 of which (or 21%) were of business class designation due, primarily, to the long haul nature of the destination.

The Department of Enterprise, Trade and Investment, and its Non Departmental Public Bodies, fully adhere to the code of conduct on business travel as defined within the Northern Ireland Civil Service Staff Handbook. This states that, with regard to air fares, reimbursement will only be made in circumstances where a clear business need has been demonstrated in order to justify First or Business Class travel.

TABLE 1: DETAILS OF TRAVEL COSTS FOR INVEST NI BOARD MEMBERS AND SENIOR MANAGEMENT TEAM 2006/07 TO 2008/09

Amount	Class	Destination	Person Travelling	Purpose of Trip
2,034.30	Business	Denver	Chairman	Denver Trade visit
274.50	Economy	Dusseldorf via Birmingham	Chairman	Anuga Exhibition visit
74.98	Economy	Manchester	Chairman	Meeting the leaders of the NWDA

Amount	Class	Destination	Person Travelling	Purpose of Trip
50.41	Economy	Brussels	Chief Executive	Business Meeting- EU Commission
100.30	Economy	Brussels	Chief Executive	Bombardier Business Meetings
87.83	Economy	Cardiff	Chief Executive	UKTI dinner and Devolved Administration Summit
5,178.00	Business	China - Shanghai/ Pudong / Beijeng	Chief Executive	Trade Mission
4,591.00	Business	India - Delhi/Mumbai/ Chennai	Chief Executive	India Trade Mission
54.20	Economy	London	Chief Executive	UKTI dinner and Devolved Administration Summit
72.44	Economy	London	Chief Executive	Corporate Hospitality- hosting INI event
131.96	Economy	London	Chief Executive	NO RECORD
146.70	Economy	London	Chief Executive	Meeting with Jim Foster
179.10	Economy	London	Chief Executive	Meeting with Jim Foster & Bombardier SBAC Dinner
179.35	Economy	London	Chief Executive	India/UK Summit
234.35	Economy	London	Chief Executive	Bombardier SBAC Dinner
306.00	Economy	London	Chief Executive	NO RECORD
310.40	Economy	London	Chief Executive	Meeting with Goldman Sachs & Lehman's Brother's
345.35	Economy	London	Chief Executive	Citigroup Lunch
362.10	Economy	London	Chief Executive	Barclays Meeting
51.48	Economy	Manchester	Chief Executive	To travel to Brussels for Bombardier Meetings
377.90	Economy	New York	Chief Executive	USA Business Meetings - JP Morgan, NYSE, Fidessa
453.40	Economy	New York	Chief Executive	Business Meeting with IDAB
520.50	Economy	New York	Chief Executive	USA Business Meetings- Bank of New York Mellon, JP Morgan
250.00	Economy	Paris	Chief Executive	Corporate Hospitality- hosting INI event
98.74	Economy	Southampton	Chief Executive	WIG Innovation Seminar
3,474.30	Business	USA - New York	Chief Executive	USA Business Meetings
2,327.88	Business	USA - New York / San Diego	Chief Executive	USA Business Meetings
4,019.70	Business	USA - NY	Chief Executive	USA Business Meetings
1,882.00	Business	USA - NY / Baltimore	Chief Executive	USA Business Meetings
1,897.00	Business	USA - NY / Washington	Chief Executive	USA Business Meetings
1,345.30	Business	USA- NY/ Washington / San Francisco	Chief Executive	USA Business Meetings
164.00	Economy	Cardiff	Corporate Finance Appraisal & Advisory	Meeting Re: JEREMIE
124.50	Economy	London	Corporate Finance Appraisal & Advisory	DTI Meeting and BVCA Conference
198.00	Economy	London	Corporate Finance Appraisal & Advisory	Spinout Conference

Amount	Class	Destination	Person Travelling	Purpose of Trip
198.00	Economy	London	Corporate Finance Appraisal & Advisory	NISPO Meeting (Prospective fund Manager)
209.00	Economy	London	Corporate Finance Appraisal & Advisory	NISPO Meeting (Prospective fund Manager)
125.00	Economy	Manchester	Corporate Finance Appraisal & Advisory	NISPO Meeting (Prospective fund Manager)
203.37	Economy	London	Director Business Improvement Services	Travel to meeting at DBERR re CNP State Aid Notification
164.25	Economy	Paris	Director Business Improvement Services	Attendance at EFQM Forum in Paris
41.87	Economy	Brussels	Director Regional Economic Development	To meet Brussels officials responsible for Entrepreneurship Policy
120.31	Economy	Edinburgh	Director Regional Economic Development	Attendance at Foundation & RSE Meeting on Innovation
72.43	Economy	Glasgow	Director Regional Economic Development	Attend Enterprise Scotland Challenging Times Conference
60.81	Economy	London	Director Regional Economic Development	Attendance at Princes Trust Parliamentary Reception
702.10	Economy	Melbourne Australia	Director Regional Economic Development	Attendance & speaking at ICSB World Conference
2,403.90	Business	Thailand - Bangkok	Director Regional Economic Development	Attendance at International Small Business Congress
358.70	Economy	Athens	Director, Business Improvement Services	Attendance at EFQM Forum in Athens
79.83	Economy	Birmingham	Director, Business Improvement Services	Attendance at Cluster Liaison Group Meeting
67.93	Economy	Bristol	Director, Business Improvement Services	Meetings & Tour of MM Teleperformance Facility in Bristol
92.40	Economy	London	Director, Business Improvement Services	Attendance at Edge Employer Awards Ceremony
214.00	Economy	London	Director, Business Improvement Services	Attendance at Carbon Trust Board Meeting
221.00	Economy	London	Director, Business Improvement Services	Attendance at CBI Summit in Belfast
266.40	Economy	London	Director, Business Improvement Services	Attendance at Leadership Conference in London
90.46	Economy	Lyon	Director, Business Improvement Services	Attendance at Lyon Collaborative Network/ Cluster Conference
2,078.50	Business	New York	Director, Business Improvement Services	Best Practice Visit to New York with Haran & Co
349.00	Economy	North Carolina	Director, Business Improvement Services	Best Practice Visit to Raleigh with DEL Colleagues
211.00	Economy	Geneva	Director, Engineering & Business	Visit to Caterpillar in Geneva
50.67	economy	Glasgow	Director, Engineering & Business	Scaling meeting with Scottish Enterprise
103.82	Economy	London	Director, Engineering & Business	Meeting with Icmos (client company) in Invest NI London Offices
73.00	Economy	Paris	Director, Engineering & Business	Meeting with Montupet in Paris



Amount	Class	Destination	Person Travelling	Purpose of Trip
107.00	Economy	Paris	Director, Engineering & Business	Meeting with Montupet in Paris
2,954.20	Business	USA - NY/Houston/ minneapolis/chicago	Director, Engineering & Business	Visit to US to meeting with Parent Company's of client companies
183.70	Economy	Cologne	Director, Food	Invest NI Chairman's Reception at Anuga post foot/mouth outbreak
137.86	Economy	Dusseldorf, Frankfurt	Director, Food	Flight booked to attend Well Being Food Event - cancelled due to acquisitions of Stevensons by Dunbia
72.61	Economy	Glasgow	Director, Food	East-west relations Scottish Enterprise and Scotland Food & Drink
91.93	Economy	London	Director, Food	IFE Event
125.47	Economy	London	Director, Food	To support Minister, identify with industry post-pork/red meat crisis
61.93	Economy	London	Director, Human Resources	Flight to London to attend Developing as an HR Business Partner Conference 5 Feb 09
152.93	Economy	London	Director, Human Resources	Flight to London to attend PPP Operational Taskforce Conference 10 April 08
252.40	Economy	London	Director, Human Resources	HR conference
104.22	Economy	Dusseldorf	Director, Innovation Research & Technology	Manunet Steering Committee
74.96	Economy	Glasgow	Director, Innovation Research & Technology	Attending Higher Education Institutions Conference in Glasgow
640.87	Economy	Helsinki	Director, Innovation Research & Technology	Best Practice Visit to Tekes
76.99	Economy	Leeds Bradford	Director, Innovation Research & Technology	Meeting with AIM UK at Halifax
318.09	Economy	London	Director, Innovation Research & Technology	Attending R&D 2008 - The Knowledge Transfer Challenge Event
100.40	Economy	London	Director, Innovation Research & Technology	Representing CEO at British Venture Capital Association Conference
127.00	Economy	London	Director, Innovation Research & Technology	Attending RIST Meeting at DTI
127.00	Economy	London	Director, Innovation Research & Technology	Representing INI at DTI event looking at delivering the 2012 games
148.45	Economy	London	Director, Innovation Research & Technology	Attending the BVCA Spin Out Conference
160.96	Economy	London	Director, Innovation Research & Technology	HealthCare Conference
73.00	Economy	Paris	Director, Innovation Research & Technology	Attending MANUNET Meeting in Brussels
5,485.50	Business	Boston & San Francisco	Director, International Investment	Travel to US with Minister Foster
219.95	Economy	Cardiff	Director, International Investment	UKTI Summit Mtg
4,738.70	Business	China - Shanghai, Japan - Tokyo	Director, International Investment	Asian Conference and office reviews
128.70	Economy	Dusseldorf, Frankfurt	Director, International Investment	Company meetings

Amount	Class	Destination	Person Travelling	Purpose of Trip
4,695.90	Business	India - Bangalore, Delhi, Mumbai	Director, International Investment	Company meetings and preparations for setting up new office in Mumbai
161.63	Economy	Leeds Bradford	Director, International Investment	Visit to HML HQ 23/2/09
270.21	Economy	London	Director, International Investment	Flights to London to attend UKTI Meeting
291.35	Economy	London	Director, International Investment	UKTI Meeting 10th July 2008
291.35	Economy	London	Director, International Investment	Meeting with Lord Mayor of the City of London Offices
297.35	Economy	London	Director, International Inv.	Meeting with Office of Lord Mayor City of London
314.76	Economy	London	Director, International Investment	UKTI event on Friday 21 November 2008.
275.63	Economy	Luxembourg	Director, International Investment	Business meetings in Luxembourg
252.28	Economy	Madeira Portugal	Director, International Investment	Economic Development Conference
122.71	Economy	Manchester	Director, International Investment	Flights to travel to IBDF Meeting in Manchester
4,513.37	Business	Mumbai	Director, International Investment	Attendance at NASSCOM CEO Summit in Mumbai and company meetings
116.68	Economy	Paris	Director, International Investment	Follow up business meetings in Paris/Luxembourg
2,043.20	Business	USA - Boston, New York, Washington	Director, International Investment	Accompanying Minister
1,818.90	Business	USA - New York, Washington	Director, International Investment	Accompanying Chief Executive to meetings in the build up to US-NI Investment Conference
1,846.70	Business	USA - New York, Washington, Boston	Director, International Investment	Accompanying Minister
2,006.60	Business	USA - Washington, Boston, New York	Director, International Investment	Interviewing for Overseas Representatives & attendance at St Patrick Day events in Washington
3,886.00	Business	USA - Washington, Boston, NY & Toronto	Director, International Investment	Accompanying Minister
94.78	Economy	Amsterdam	Director, Life Sciences & Creative	Meeting with Minister and Phillips Healthcare.
1,584.19	Econ out/Bus class back	New York	Director, Life Sciences & Creative	Meet with NYSE Euronext and CA. The visit is also in support of the "Big Idea"
1,512.00	Business	Washington	Director, Life Sciences & Creative	Meet with senior management of Du Pont
393.00	Economy	Brussels	Director, Strategic Management & Planning	Visit to European Commission Offices as a member of the Barosso Taskforce.
49.83	Economy	East Midlands	Director, Strategic Management & Planning	Visit to Nottingham for meeting of RDA Strategy Directors.
83.02	Economy	London	Director, Strategic Management & Planning	To speak at CIMTECH Conference in University of Hertfordshire.
281.40	Economy	London	Director, Strategic Management & Planning	Visit to DTI for UKTI Stakeholder Conference.

Amount	Class	Destination	Person Travelling	Purpose of Trip
281.40	Economy	London	Director, Strategic Management & Planning	Visit to DTI for UKTI and Devolved Administration Workshop on evaluation and performance monitoring.
165.39	Economy	Paris	Director, Strategic Management & Planning	Flight to Paris for meeting with OECD re possible research assignment.
129.61	Economy	Edinburgh	Director, Technology & Process Development	Flights for Director, Technology & Process Development Division accompanied by a Technology Executive to Edinburgh for meeting with BERR
75.93	Economy	London	Director, Technology & Process Development	Carbon Trust Board Meeting
82.25	Economy	London	Director, Technology & Process Development	Carbon Trust Strategy Session
101.08	Economy	London	Director, Technology & Process Development	Carbon Trust Board Meeting - return flights
101.83	Economy	London	Director, Technology & Process Development	Flights to Carbon Trust Board Mtg - 12/03/09
103.08	Economy	London	Director, Technology & Process Development	EasyJet return flights for Carbon Trust Board Meeting Thursday 12 June
75.93	Economy	London	Director, Technology & Process Development	Carbon Trust pre-board mtg & dinner on 12/09/07 & Board Meeting on 13/09/07
261.00	Economy	London	Director, Technology & Process Development	DEFRA meeting & Carbon Trust Board Meeting
83.82	Economy	Paris	Director, Technology & Process Development	ESBN Conference
1,766.00	Business	Dubai	Director, Trade	Participating in Trade Mission to Dubai (Arab Health)
1,599.20	Business	Dubai	Director, Trade	Interviewing for NITDC Director Dubai
78.24	Economy	Edinburgh	Director, Trade	Meeting with Scottish Enterprise
50.67	economy	Glasgow	Director, Trade	Scaling meeting with Scottish Enterprise
2,650.00	Business	India - Mumbai	Director, Trade	Trade Mission to India and discussions re opening trade office in Mumbai
85.00	Economy	London	Director, Trade	UKTI London visit
109.00	Economy	London	Director, Trade	Accommodation in London en-route to Dubai (Arab Health)
124.00	Economy	London	Director, Trade	Attending meetings at UKTI London
148.00	Economy	London	Director, Trade	Developing with University of Ulster the German Student initiative (Wilhelm Scharf)
154.00	Economy	London	Director, Trade	Flights – en-route to Dubai via London (Arab Health)
154.00	Economy	London	Director, Trade	Attending meetings at UKTI London
173.00	Economy	London	Director, Trade	Attending meetings at UKTI London
176.00	Economy	London	Director, Trade	Attending meetings in London to discuss opportunities arising from 2012 Olympic Games
186.00	Economy	London	Director, Trade	Attending meetings at UKTI London
208.00	Economy	London	Director, Trade	Attending meetings at UKTI London
336.00	Economy	London	Director, Trade	Attending UKTI meeting in London

Amount	Class	Destination	Person Travelling	Purpose of Trip
89.28	Economy	London	Director, Trade	Travel to London to attend the Entrepreneurial Summit 27 - 30 June 2008
397.00	Business	London	Director, Trade	Attending UKTI meeting in London
412.00	Economy	Munich	Director, Trade	Supporting University of Ulster with German Student initiative (Wilhelm Scharf)
2,794.00	Business	New York	Director, Trade	Attending Summer Fancy Food Show in New York
2,359.00	Business	USA - San Francisco, San Jose and Tampa	Director, Trade	Participating in Trade Mission to West Coast USA
289.40	Economy	Brussels (via Birmingham)	Director, Transport Construction & Tourism	Flight to Brussels to attend EC meeting re Bombardier CSeries project - 24/03/09
64.45	Economy	London	Director, Transport Construction & Tourism	Meeting at DTI, London re Bombardier CSeries project
70.46	Economy	London	Director, Transport Construction & Tourism	Meeting at DTI, London re Bombardier CSeries project
127.08	Economy	London	Director, Transport Construction & Tourism	Meeting at IDAB re Bombardier CSeries project - 12/06/08
132.00	Economy	London	Director, Transport Construction & Tourism	Meeting at DBERR, London re Bombardier CSeries project
141.42	Economy	London	Director, Transport Construction & Tourism	Meeting at DBERR re Bombardier CSeries project - 23/04/08
141.42	Economy	London	Director, Transport Construction & Tourism	Meeting at Lovells re Bombardier CSeries project - 21/05/08
141.42	Economy	London	Director, Transport Construction & Tourism	Attendance at Farnborough Air Show - 12/07/08
170.08	Economy	London	Director, Transport Construction & Tourism	Meeting at DBERR re Bombardier CSeries project - 16/06/08
180.00	Economy	London	Director, Transport Construction & Tourism	Meeting at DBERR, London re Bombardier CSeries project
228.22	Economy	London	Director, Transport Construction & Tourism	Travel to London and Brussels to attend EC meeting re Bombardier CSeries project - 24 March 09
239.10	Economy	London	Director, Transport Construction & Tourism	Meeting at DBERR, London re Bombardier CSeries project
322.83	Economy	London	Director, Transport Construction & Tourism	Attendance at the second Century for UK Aerospace Forum – 8 & 9/12/08
378.00	Economy	London	Director, Transport Construction & Tourism	Treasury meeting re Bombardier CSeries - 30/05/08
149.96	Economy	Manchester	Director, Transport Construction & Tourism	Visit to North West Dev Agency – 1 & 2/04/08
215.50	Economy	Paris	Director, Transport Construction & Tourism	Paris Air Show - Invest NI companies participating
2,043.00	Business	Boston/Washington	Managing Director Clients Group and Business International	US Sales Conference and mtg with Consul General
103.39	Economy	Brussels	Managing Director Clients Group and Business International	Meeting with DG Competition re C-Series
63.48	Economy	Glasgow	Managing Director Clients Group and Business International	UKTI RDA Summit Meeting



Amount	Class	Destination	Person Travelling	Purpose of Trip
30.94	Economy	London	Managing Director Clients Group and Business International	Meetings with BERR re C-Series
43.48	Economy	London	Managing Director Clients Group and Business International	Meeting with DG Competition re C-Series
50.50	Economy	London	Managing Director Clients Group and Business International	Meeting with DG Competition re C-Series
111.00	Economy	London	Managing Director Clients Group and Business International	Meeting with BERR
125.93	Economy	London	Managing Director Clients Group and Business International	UKTI RDA Summit Meeting
134.00	Economy	London	Managing Director Clients Group and Business International	Meeting with BERR and Barclays
137.93	Economy	London	Managing Director Clients Group and Business International	Company meeting and Official Opening of the Northern Bank
141.43	Economy	London	Managing Director Clients Group and Business International	IDAB C-Series meeting
143.50	Economy	London	Managing Director Clients Group and Business International	Meeting of the Nortel Creditors Committee
155.70	Economy	London	Managing Director Clients Group and Business International	Hosting Invest NI hospitality at an evening event
237.40	Economy	London	Managing Director Clients Group and Business International	Farnborough Air Show
240.00	Economy	London	Managing Director Clients Group and Business International	Attending the Annual SBAC dinner
255.00	Economy	London	Managing Director Clients Group and Business International	Meetings with BERR re C-Series
259.00	Economy	London	Managing Director Clients Group and Business International	Meeting with UKTI
259.87	Economy	London	Managing Director Clients Group and Business International	Company meeting including meeting with BERR re C-Series
237.40	Economy	London	Managing Director Clients Group and Business International	European Sales Conference
5,015.00	Business	New York/Washington	Managing Director Clients Group and Business International	Supporting Minister Dodds and DFM on visits in New York and Washington re US-NI InvestmentConference
494.00	Economy	Paris	Managing Director Clients Group and Business International	Paris Air Show

Amount	Class	Destination	Person Travelling	Purpose of Trip
2,222.78	Business	San Francisco, Chicago, Santa Monica	Managing Director Clients Group and Business International	Accompanying the First and deputy First Ministers on company visits
4,033.00	Business	Shanghai	Managing Director Clients Group and Business International	Asia Sales Conference in Shanghai
2,670.00	Business	USA - Santa Ana/San Jose/Washington/New York/Boston/Dublin	Managing Director Clients Group and Business International	Client/Influencer meeting plus St Patrick's day event
3,364.00	Business	Washington	Managing Director Clients Group and Business International	Institutional Investor Conference
2,647.00	Business	Washington	Managing Director Clients Group and Business International	Client/Influencer meetings
4,556.00	Business	Washington/New York/Boston/Toronto	Managing Director Clients Group and Business International	Meetings with NI Bureau, US State Department, British Ambassador, American Ireland Fund, Interview with Forde's Magazine, JP Morgan and Nortel.
296.98	Economy	Boston	Managing Director Clients Group and Entrepreneurship	Attendance at Connected Health Events
372.50	Economy	Boston	Managing Director Clients Group and Entrepreneurship	Attendance at Bio Medtech Conference
788.85	Economy	Boston	Managing Director Clients Group and Entrepreneurship	Meeting with Tyco Healthcare
80.48	Economy	London	Managing Director Clients Group and Entrepreneurship	Attendance at IFE Launch, Excel London
206.70	Economy	London	Managing Director Clients Group and Entrepreneurship	Meeting with Minister Foster / OFMDFM and Chairman of Vion
321.80	Economy	London	Managing Director Clients Group and Entrepreneurship	Meeting with Minister Cairns and FSIP
1,604.10	Business	San Diego, USA	Managing Director Clients Group and Entrepreneurship	Attendance at Bio Conference 2008
381.12	Economy	Sao Paulo, Brazil	Managing Director Clients Group and Entrepreneurship	Rescheduled meeting with Marfrig/Moy Park
99.35	Economy	London	Managing Director Corporate Services	Air travel from Belfast City to London Heathrow return to attend the CBI Annual Conference.
104.10	Economy	London	Managing Director Corporate Services	CBI Conference
202.40	Economy	London	Managing Director Corporate Services	CBI Conference
61.56	Economy	Amsterdam	Managing Director Innovation and Capability Development	Trade Mission to Amsterdam with Minister
5,622.00	Business	Beijing	Managing Director Innovation and Capability Development	F/N 4173776 travel 17.5.08 T Meharg - flight from London to Beijing - trade mission to Japan
437.10	Economy	Brussels	Managing Director Innovation and Capability Development	Attendance at EU mtgs in Brussels
27.49	Economy	Halifax, UK	Managing Director Innovation and Capability Development	Official opening of AIDC European Centre of Excellence in Halifax
3,528.00	Business	India	Managing Director Innovation and Capability Development	Trade Mission to Chennai and Mumbai

Amount	Class	Destination	Person Travelling	Purpose of Trip
90.00	Economy	London	Managing Director Innovation and Capability Development	F/N 4173776 travel 17.5.08 T Meharg - flight to London connecting for onwards to Beijing - trade mission to Japan
188.96	Economy	London	Managing Director Innovation and Capability Development	Launch of the Next Generation Composite Wing Project at Institution of Civil Engineers, London
4,125.50	Business	Saudi Arabia / UAE / Qatar	Managing Director Innovation and Capability Development	Trade Mission to Saudi Arabia/Dubai
2,936.00	Business	Tokyo	Managing Director Innovation and Capability Development	Booking no 000785/001 MD, Innovation and Capability Development, 11-17.1.09 re trade mission to Japan
3,021.30	Business	US/Canada -Toronto	Managing Director Innovation and Capability Development	Trade Mission to Toronto/Ottawa and New York

TABLE 2: SUMMARY OF TRAVEL COSTS FOR INVEST NI BOARD MEMBERS AND SENIOR MANAGEMENT 2006/07 TO 2008/09

	2006/07	2007/08	2008/09	Grand Total
Number of Flights	56	62	97	215
Number of Business Class Flights	17	16	12	45
Percentage of Flights that were Business Class	30%	26%	12%	21%
Cost of Total Flights	£61,000	£50,200	£53,300	£164,500

## DEPARTMENT OF THE ENVIRONMENT

### Irish Hares

**Mr Ford** asked the Minister of the Environment how many Irish hares were recorded in surveys conducted for the Department in the last four years. (AQW 7715/09)

**The Minister of the Environment (Mr S Wilson):** Estimated abundance from the Northern Ireland Irish Hare surveys are as follows:

2006 – 36,200; that is an estimated density of 2.57 hares per km<sup>2</sup>

2007 – 57,100; that is an estimated density of 4.03 hares per km<sup>2</sup>

2008 – 40,500; that is an estimated density of 2.86 hares per km<sup>2</sup>

2009 – 27,400; that is an estimated density of 1.95 hares per km<sup>2</sup>

### e-PIC project

**Mr Shannon** asked the Minister of the Environment to confirm that, at the time of the placing of the original contract for development of the e-PIC project in 2003, Planning Service observed correct procurement procedures and investigated and researched existing products and services in the market that could have been used to supply any part of the e-PIC project in a cost-effective way. (AQW 8103/09)

**The Minister of the Environment:** The e-PIC procurement process strictly followed DFP Supply rules and regulations. This included advertising the tender in the European Journal.

## PPS 18

**Mr McKay** asked the Minister of the Environment to outline the criteria used to appoint the consultants responsible for drawing up supplementary guidelines to PPS 18. (AQW 8646/09)

**The Minister of the Environment:** The criteria used were: methodology and understanding the requirement; relevant experience of the service provider and personnel; study timetable; and cost.

## Press and Public Relations Department

**Mr Gardiner** asked the Minister of the Environment to detail the number of staff employed in his press and public relations department; and the overall cost in each year from 2003/04. (AQW 8883/09)

**The Minister of the Environment:** The tables show the actual number of staff employed in Press or PR Units, together with the estimated costs.

NIEA	03/04	04/05	05/06	06/07	07/08	08/09
G7						
DP	1	1	1	1	1	1
SO	1	1	1	1	1	4
EO1						
EO2	1	1	1	1	1	
AO						
AA	1	1	1	1	1	1
<b>Total Cost</b>	<b>£98,163</b>	<b>£100,617</b>	<b>£103,133</b>	<b>£105,711</b>	<b>£108,354</b>	<b>£189,992</b>

Planning Service	03/04	04/05	05/06	06/07	07/08	08/09
G7	0.33%	0.33%	0.33%	0.33%	0.33%	0.33%
DP	0.66%	0.66%	0.66%	1	1	1
SO	1	1	1	1	1	1
EO1	1	1	1	1	1	1
EO2						
AO		1	1	1	1	1
AA	1					
<b>Total Cost</b>	<b>£111,079</b>	<b>£113,856</b>	<b>£116,703</b>	<b>£132,106</b>	<b>£135,409</b>	<b>£141,134</b>

DVA	03/04	04/05	05/06	06/07	07/08	08/09
G7						
DP						
SO	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%
EO1						
EO2	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%
AO						
AA						
<b>Total Cost</b>	<b>£4,842</b>	<b>£4,963</b>	<b>£5,087</b>	<b>£5,215</b>	<b>£5,345</b>	<b>£5,555</b>



Core Divisions	03/04	04/05	05/06	06/07	07/08	08/09
G7	1	1	1	1	1	1
DP	1	1	1	1	1	2
SO	1	1	1	1	1	1
EO1						
EO2	1	1	1	1	1	1
AO	1	1	1	1	1	1
AA						
<b>Total Cost</b>	<b>£155,519</b>	<b>£172,153</b>	<b>£176,353</b>	<b>£171,815</b>	<b>£197,799</b>	<b>£182,231</b>

The estimated overall total cost per annum for the Department are –

<b>03/04</b>	<b>£369,603</b>
04/05	£391,589
05/06	£401,276
06/07	£414,847
07/08	£446,907
08/09	£518,912

### Building Developments

**Mr Kinahan** asked the Minister of the Environment what action he is taking to stop all building developments, within the development limits of hamlets, where the character of the hamlet has been significantly changed. (AQW 8936/09)

**The Minister of the Environment:** I am currently considering Draft PPS 7 Addendum ‘Safeguarding the Character of Residential Areas’.

Where planning permission has already been granted for development, there is no mechanism available to prevent this development from proceeding provided it complies with the conditions imposed.

### PPS 21

**Mr Shannon** asked the Minister of the Environment what steps he is taking to make those involved in the equine sector aware that PPS 21 gives them new opportunities to dwell in the countryside. (AQW 8965/09)

**The Minister of the Environment:** Since November 2008, draft PPS 21 has been available on the Planning Service website and at Divisional Planning Offices. During the public consultation period, 16 information days were held across the Region, attended by over 2,500 people. In addition presentations have been made to Councillors, non government organisations and range of professional bodies and additional information has been placed on the Planning Service website and put out as press releases.

### Northern Ireland Environment Agency

**Mr Shannon** asked the Minister of the Environment if the Northern Ireland Environment Agency will allow Ards Council to go onto the beach at Ganoway and Ballyferris at Millisle to (i) remove seaweed; and (ii) remove glass and debris. (AQW 8967/09)

**The Minister of the Environment:** The coast at Ganoway and Ballyferris has been designated as part of the Outer Ards Area of Special Scientific Interest (ASSI) under the Environment (Northern Ireland) Order 2002. The

ASSI has been further designated as a Special Protection Area (SPA) under the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995, and is now listed by Europe as part of its network of Natura 2000 sites.

As a public body, Ards Borough Council does not require permission from the Northern Ireland Environment Agency (NIEA) to remove seaweed or remove glass and debris from amenity beaches within designated sites.

However, Ards Borough Council is required to seek advice from NIEA in relation to any activity within a national or international designated site to ensure that the site selection features are protected.

### Liquid Petroleum Gas

**Mr Elliott** asked the Minister of the Environment to provide an estimate of the total number and proportion of (i) cars; (ii) vans; and (iii) lorries in Northern Ireland which use liquid petroleum gas. (AQW 8977/09)

**The Minister of the Environment:** Information about registered vehicles is provided by vehicle manufacturers in line with agreed descriptors. In relation to fuel type, “liquid petroleum gas” is not one of the three descriptors used. The answer has, accordingly, been given using the three fuel descriptors relating to gas fuel types.

At 8 July 2009, the numbers of licensed cars, vans and lorries using gas fuels in Northern Ireland were:

Vehicle Type	Gas	Gas Bi Fuel	Gas Diesel	All Fuel Types	Proportion Using Gas
Cars	30	258	1	740,496	0.04%
Vans	0	11	0	49,341	0.02%
Lorries	5	3	0	25,220	0.03%

### High Trees and High Hedges

**Mr Weir** asked the Minister of the Environment, in light of recent announcements (i) what consideration is being given to new legislation to deal with the problems of high trees and high hedges; (ii) the timescale for any action that is proposed; and (iii) what role is envisaged for local Councils. (AQW 8988/09)

**The Minister of the Environment:** I am aware of the level of concern over nuisance high trees and hedges in Northern Ireland, and am minded to bring forward legislation on this area. I am currently engaged in a review of environmental priorities and resources; the outcome of this process will enable me to make an informed decision on the way forward.

Any scheme provided for in new legislation to deal with the nuisance high trees and hedges problem in Northern Ireland will be operated by local government. It is anticipated that this would generate a significant quantity of additional work, particularly at the outset when the existing problems affecting many householders would need to be addressed. I am also aware of the impact which the Review of Public Administration will have on local government and will take this into account in deciding on the timing of new legislation.

### Derelict and Vacant Properties

**Mr Dallat** asked the Minister of the Environment what plans he has in place to ensure that listed, and other derelict and vacant properties are secure and do not constitute a danger to the public or become a ‘honey pot’ for drug addicts and abusers. (AQW 9001/09)

**The Minister of the Environment:** I have no such plans in place because it is not the responsibility of my Department to ensure that buildings do not constitute a danger to the public or become a ‘honey pot’ for drug addicts and abusers. Responsibility for the upkeep and safety of such buildings lies with their owners.

However – specifically in relation to listed buildings - under Article 80 of the Planning Order NI (1991), my Department can take action if it ‘appears to the Department that works are urgently necessary for the preservation of a listed building’. Such cases are identified by the Northern Ireland Environment Agency’s (NIEA) area architects. NIEA follows Departmental policy in these cases, as published in paragraph D3 of Planning Policy Statement 6, and negotiates with owners in the first instance to arrive at a resolution.

Article 80 also enables the Department to use these powers in regard to ‘a building in respect of which a direction has been given by the Department that this Article shall apply’. Although the equivalent provision has been used in England in respect of unlisted buildings in Conservation Areas and the potential of such a use here is highlighted in paragraph D8 of Planning Policy Statement 6, such a direction has not issued in Northern Ireland and there are no plans to do this in the near future.

The Northern Ireland Housing Executive will routinely secure any of its stock which is unoccupied. In relation to privately owned vacant properties, the Housing Executive has powers under Article 63 of the Housing (Northern Ireland) Order 1981 to take action to secure unoccupied premises where it is satisfied that it is necessary to prevent damage to and to protect housing accommodation. The Notice served will require the owner to execute such works to secure the premises.

If the Housing Executive are unable to find an owner or a notice is not responded to within a specified period they will proceed to carry out the necessary work to make the property secure. The Housing Executive has a service contract for securing derelict and vacant properties.

### Polluted Cat Litter Dumping

**Mr McGlone** asked the Minister of the Environment how many instances of polluted cat litter dumping were dealt with by the Northern Ireland Environment Agency; and to detail the locations, in each of the last two years. (AQW 9014/09)

**The Minister of the Environment:** District Councils, are responsible for the clean up and removal of all illegally deposited waste, including cat litter that is polluting in nature after being used to launder diesel. Councils can recoup costs from landowners where they can be identified.

As a general rule NIEA's Environmental Crime Unit does not record whether illegal dumping incidents involve cat litter; its methods of categorisation are broader, ie, household or commercial waste, etc.

However, the Water Management Unit of NIEA dealt with 2 instances of water pollution involving contaminated cat litter in 2009 – one in Cookstown and one in Coleraine. There were no incidents of that type in the previous 2 years.

## DEPARTMENT OF FINANCE AND PERSONNEL

### Quangos and Public Bodies

**Ms Anderson** asked the Minister of Finance and Personnel to detail the costs incurred by Quangos and Public Bodies that are currently operating, including salary and travel costs. (AQW 7298/09)

**The Minister of Finance and Personnel (Mr Dodds):** The requested information is contained within the attached annex.

For the purposes of this question, I have included all public bodies sponsored by Northern Ireland departments, which are listed in the annual public bodies report.

All information has been provided by the sponsoring Departments and relates to the 2007/08 financial year, which is the most current available.

#### ANNEX A

Department	Public Body	Salary Costs	Travel Costs	Other Costs	Total Costs	Comments
Department for Employment and Learning	Construction Industry Training Board	1,596,446	153,442	3,848,709	5,598,597	
	Industrial Court	22,097	2,878	6,334	31,309	
	Industrial Tribunals and the Fair Employment Tribunal	1,033,572	55,829	2,287,439	3,376,840	

Department	Public Body	Salary Costs	Travel Costs	Other Costs	Total Costs	Comments
Department for Employment and Learning	Labour Relations Agency	2,066,045	23,777	1,110,178	3,200,000	Includes the Certification Office.
	Ulster Supported Employment Ltd	1,234,993	12,629	6,493,047	7,740,669	
	<b>Total</b>	<b>5,953,153</b>	<b>248,555</b>	<b>13,745,707</b>	<b>19,947,415</b>	
Department for Regional Development	Northern Ireland Transport Holding Company	114,940,000	3,100,000	58,120,000	176,160,000	
	Northern Ireland Water	63,300,000	1,330,000	226,000,000	290,630,000	
	<b>Total</b>	<b>178,240,000</b>	<b>4,430,000</b>	<b>284,120,000</b>	<b>466,790,000</b>	
Department for Social Development	DLA Advisory Board for Northern Ireland	5,000	2,000	1,000	8,000	
	Northern Ireland Northern Ireland Housing Executive	91,631,000	2,461,000	107,000*	94,199,000	*Does not include programme expenditure.
	Charities Advisory Committee	0	0	0	0	
	Rent Assessment Panel	0	0	0	0	
	Vaughan's Charity Trustees	0	0	0	0	
	<b>Total</b>	<b>91,636,000</b>	<b>2,463,000</b>	<b>108,000</b>	<b>94,207,000</b>	
Department of Agriculture and Rural Development	Agri-Food & Biosciences Institute	30,093,000	313,000	25,338,000	55,744,000	
	Drainage Council	0	790	0	790	
	Livestock and Meat Commission	1,557,558	86,176	2,766,425	4,410,159	
	NI Fishery Harbour Authority	568,850	8,643	456,294	1,033,787	
	Agricultural Wages Board Northern Ireland	0	0	0	0	
	Research and Education Advisory Panel	0	0	0	0	
	<b>Total</b>	<b>32,219,408</b>	<b>408,609</b>	<b>28,560,719</b>	<b>61,188,736</b>	
Department of Culture, Arts and Leisure	Arts Council of Northern Ireland	1,778,433	65,599	889,519*	2,733,551	*Does not include programme expenditure.
	Fisheries Conservancy Board Northern Ireland	478,160	47,997	Nil	526,157	
	National Museums & Galleries Northern Ireland	8,963,500	212,374	3,240,438	12,416,312	
	Northern Ireland Museums Council	0	0	0	0**	**Costs are met by the Department.
	Sport Northern Ireland	3,066,522	95,116	14,188,768	17,350,406	
	<b>Total</b>	<b>14,286,615</b>	<b>421,086</b>	<b>18,318,725</b>	<b>33,026,426</b>	



Department	Public Body	Salary Costs	Travel Costs	Other Costs	Total Costs	Comments
Department of Education	Belfast Education & Library Board	175,700,000	365,000	45,389,000	221,454,000	
	Council for Catholic Maintained Schools	3,074,000	182,000	826,000	4,082,000	
	Middletown Centre for Autism	229,869	6,545	172,137	408,551	The Centre is jointly funded with the Department of Education and Science. Salary and travel costs for Board Members refer to DE appointed members only.
	North Eastern Education & Library Board	222,542,000	1,250,000	63,183,000	286,975,000	
	Northern Ireland Council for the Curriculum, Examinations & Assessment (CCEA)	12,233,532	307,664	17,710,207	30,251,403	
	South Eastern Education & Library Board	206,913,000	614,000	45,499,000	253,026,000	
	Southern Education & Library Board	249,448,000	1,583,000	55,047,000	306,078,000	
	Staff Commission for Education & Library Boards	305,000	5,000	0	310,000	
	Western Education & Library Board	214,442,000	1,253,000	87,235,000	302,930,000	
	Youth Council Northern Ireland	731,488	10,679	3,456,742	4,198,909	
	<b>Total</b>	<b>1,085,618,889</b>	<b>5,576,888</b>	<b>318,518,086</b>	<b>1,409,713,863</b>	
Department of Enterprise, Trade and Investment	General Consumer Council	1,320,522	30,213	1,039,213	2,389,948	
	Health & Safety Executive Northern Ireland	3,065,496	114,775	1,160,452	4,340,723	
	Invest NI	21,200,000	800,000	104,200,000	126,200,000	
	Northern Ireland Tourist Board	4,091,734	148,919	10,130,255	14,370,908	
	<b>Total</b>	<b>29,677,752</b>	<b>1,093,907</b>	<b>116,529,920</b>	<b>147,301,579</b>	
Department of Finance and Personnel	Northern Ireland Building Regulations Advisory Committee	0	0	0	0	
	Northern Ireland Civil Service Appeal Board	0	230	12,168	12,398	
	Statistics Advisory Committee	0	6	0	6	
	<b>Total</b>	<b>0</b>	<b>236</b>	<b>12,168</b>	<b>12,404</b>	

Department	Public Body	Salary Costs	Travel Costs	Other Costs	Total Costs	Comments
Department of Health & Social Services and Public Safety	Eastern Health and Social Services Board				1,377,464,000	Includes Eastern Health and Social Services Council.
	Southern Health and Social Services Board				617,825,000	Includes Southern Health and Social Services Council.
	Northern Health and Social Services Board				799,797,000	Includes Northern Health and Social Services Council.
	Western Health and Social Services Board				575,983,000	Includes Western Health and Social Services Council.
	Regulation and Quality Improvement Authority				5,051,000	
	Mental Health Commission				679,000	
	Northern Ireland Social Care Council				3,122,000	
	Northern Ireland Fire & Rescue Service				78,934,000	
	Northern Ireland Practice & Education Council				1,350,000	
	Northern Ireland Medical and Dental Training Agency				45,143,000	
	Tribunal under section 11	0	0	0	0	
	Poisons Board	0	0	0	0	
	Northern Ireland Clinical and Excellence Awards Committee				0#	# Included in Department Core Expenditure.
	Care Tribunal				0#	# Included in Department Core Expenditure.
	Central Services Agency				79,682,000	
	Health Promotion Agency				5,353,000	
	Northern Ireland Guardian Ad Litem Agency				2,937,000	
	Medical Physics Agency				6,058,000	
	Northern Ireland Blood Transfusion Service				21,540,000	

Department	Public Body	Salary Costs	Travel Costs	Other Costs	Total Costs	Comments
Department of Health & Social Services and Public Safety	Western Health and Social Care Trust				439,555,000	
	Northern Health and Social Care Trust				515,798,000	
	Southern Health and Social Care Trust				431,687,000	
	South Eastern Health and Social Care Trust				442,106,000	
	Belfast Health and Social Care Trust				1,084,142,000	
	Northern Ireland Ambulance Service				50,991,000	
	<b>Total</b>				<b>6,585,197,000</b>	
Department of the Environment (NI)	Council for Nature Conservation and the Countryside	0	0	0	0	
	Historic Buildings Council	0	0	0	0	
	Historic Monuments Council	0	0	0	0	
	Local Government Staff Commission	406,000	21,000	0	427,000	
	Northern Ireland Local Government Officers' Superannuation Committee	1,204,000	40,000	818,000	2,062,000	
	<b>Total</b>	<b>1,610,000</b>	<b>61,000</b>	<b>818,000</b>	<b>2,489,000</b>	
Office of the First Minister and Deputy First Minister	Commission for Victims & Survivors	0	0	0	0	Not established until June 2008.
	Commissioner for Children & Young People	909,946	28,792	928,867	1,867,605	
	Economic Research Institute	813,727	23,979	407,854	1,245,560	
	ILEX Urban Regeneration Co Ltd	715,823	20,679	2,841,710	3,578,212	
	Planning & Water Appeals Commission	1,376,700	38,326	682,460	2,097,486	
	Strategic Investment Board	3,353,007	113,211	4,119,632	7,585,850	
	Statute Law Committee	0	0	0	0	
	<b>Total</b>	<b>7,169,203</b>	<b>224,987</b>	<b>8,980,523</b>	<b>16,374,713</b>	

### Construction Projects

**Mr Neeson** asked the Minister of Finance and Personnel to outline, during the period 1 November 2008 to 1 June 2009, (i) what publicly funded construction projects were put out to tender to both professional consultants and Building and Civil Engineering contractors for pricing; and (ii) subsequently which of these contracts have been awarded. (AQW 8431/09)

**The Minister of Finance and Personnel:** For the purpose of this answer the number of contracts has been limited to those with a value in excess of £30k. This threshold has been set as it is the Procurement Control Limit above which procurement opportunities must be publically advertised and in order to avoid the disproportionate effort in identifying and listing innumerable low value contracts.

Grant funded contracts have not been included.

TABLE 1 – PROFESSIONAL CONSULTANCY CONTRACTS

Centre of Procurement Expertise	No of Tenders Issued (1 Nov 08 – 1 June 09)	No of Contracts Awarded (1 Nov 08 – 1 June 09)
NI Water	144	144
Translink	16	13
Roads Service	3	1
Department of Education And Education & Library Boards	23	0
CPD	22	22
DHSSPS - Health Estates	1	1
<b>Totals</b>	<b>209</b>	<b>181</b>

TABLE 2 – BUILDING AND CIVIL ENGINEERING CONTRACTS

Centre of Procurement Expertise	No of Tenders Issued (1 Nov 08 – 1 June 09)	No of Contracts Awarded (1 Nov 08 – 1 June 09)
NI Water	112	104
Translink	9	6
Roads Service	26	16
Department of Education And Education & Library Boards	132	91
CPD	16	8
DHSSPS - Health Estates	64	61
DSD - Northern Ireland Housing Executive	5	3
<b>Totals</b>	<b>364</b>	<b>289</b>

Details of the individual professional consultancy and building and civil engineering contracts are listed in Annexes A and B respectively. (Where the title of a contract is listed several times CoPEs have advised that each listing represents a separate contract).

## PROFESSIONAL CONSULTANCY CONTRACTS

Contracts Tendered Between 1 November 2008 and 1 June 2009	Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)
<b>Department for Regional Development - NI Water.</b>	
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Mountfield Waste Water Treatment Works	Yes
Cambrook Sewage Pumping Station to Green Road	Yes
Moygashel Waste Water Treatment Works	Yes
Limavady Zone Watermain Improvements	Yes
Limavady Zone Watermain Improvements	Yes



<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
Limavady Zone Watermain Improvements	Yes
Kensington Gardens Flood Relief	Yes
Tullygoonigan Sewerage Scheme	Yes
Tullygoonigan Sewerage Scheme	Yes
Carland Service Reservoir	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Altnahinch and Seagahan Water Treatment Works, Residual Sludge Disposal	Yes
Altnahinch and Seagahan Water Treatment Works, Residual Sludge Disposal	Yes
Carland Service Reservoir	Yes
Carland Service Reservoir	Yes
Carland Service Reservoir	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Altnahinch and Seagahan Water Treatment Works, Residual Sludge Disposal	Yes
Dungiven Waste Water Treatment Works	Yes
Dungiven Waste Water Treatment Works	Yes
Whitehouse DAP Phase 1	Yes
Whitehouse DAP Phase 1	Yes
Cranagh Waste Water Treatment Works	Yes
Cranagh Waste Water Treatment Works	Yes
Cranagh Waste Water Treatment Works	Yes
Moneygran Road Kilrea Foul and Storm Sewers	Yes
Ravarnet Waste Water Treatment Works	Yes
Ravarnet Waste Water Treatment Works	Yes
Ravarnet Waste Water Treatment Works	Yes
Carnmoney Water Treatment Works Upgrade	Yes
Carnmoney Water Treatment Works Upgrade	Yes
Carnmoney Water Treatment Works Upgrade	Yes
Carnmoney Water Treatment Works Upgrade	Yes
Carnmoney Water Treatment Works Upgrade	Yes
Stewartstown Waste Water Treatment Works Improvements	Yes
Stewartstown Waste Water Treatment Works Improvements	Yes
Stewartstown Waste Water Treatment Works Improvements	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Derry City Centre Public Realm Replacement Watermains	Yes
Derry City Centre Public Realm Replacement Watermains	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
Derry City Centre Public Realm Replacement Watermains	Yes
Feeny Waste Water Treatment Works	Yes
Feeny Waste Water Treatment Works	Yes
Edenderry Waste Water Treatment Works	Yes
Edenderry Waste Water Treatment Works	Yes
Edenderry Waste Water Treatment Works	Yes
Glenarm Sewage Pumping Station	Yes
Glenarm Sewage Pumping Station	Yes
Mullaghboy Waste Water Treatment Works	Yes
Mullaghboy Waste Water Treatment Works	Yes
Mullaghboy Waste Water Treatment Works	Yes
Mullaghboy Waste Water Treatment Works	Yes
Belfast City Centre Zone Watermain Improvements	Yes
Belfast City Centre Zone Watermain Improvements	Yes
Belfast City Centre Zone Watermain Improvements	Yes
Belfast City Centre Zone Watermain Improvements	Yes
Donnybrewer Waste Water Treatment Works	Yes
Donnybrewer Waste Water Treatment Works	Yes
Belvoir Park Trunk Sewer	Yes
Belvoir Park Trunk Sewer	Yes
Belvoir Park Trunk Sewer	Yes
Green Walk Newtownabbey Storm Sewer Extension	Yes
Lukes Point (Bangor) DAP Phase 1	Yes
Ballygowan Zone Watermain Improvements	Yes
Derry DAP: Storm Screening	Yes
Waterside Zone Watermain Improvements	Yes
Lukes Point (Bangor) DAP Phase 1	Yes
Waterside Zone Watermain Improvements	Yes
Ballycastle Zone Watermains Improvements	Yes
Derry DAP: Storm Screening	Yes
Ballygowan Zone Watermain Improvements	Yes
Waterside Zone Watermain Improvements	Yes
Waterside Zone Watermain Improvements	Yes
Lukes Point (Bangor) DAP Phase 1	Yes
Carnmoney East Zone Watermain Improvements	Yes
Derry DAP: Storm Screening	Yes
Ballygowan Zone Watermain Improvements	Yes
Carnmoney East Zone Watermain Improvements	Yes
Ballycastle Zone Watermains Improvements	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
Carnmoney East Zone Watermain Improvements	Yes
Carnmoney East Zone Watermain Improvements	Yes
Ballygowan Zone Watermain Improvements	Yes
Mid Down Zone Watermain Improvements	Yes
Mid Down Zone Watermain Improvements	Yes
Mid Down Zone Watermain Improvements	Yes
Mid Down Zone Watermain Improvements	Yes
Joymount Carrick DAP Phase 1	Yes
Joymount Carrick DAP Phase 1	Yes
Joymount Carrick DAP Phase 1	Yes
Lisburn Town Zone Watermain Improvements	Yes
Lisburn Town Zone Watermain Improvements	Yes
Lurgan & Portadown Public Realm Associated Infrastructure Improvements	Yes
Lisburn Town Zone Watermain Improvements	Yes
Lisburn Town Zone Watermain Improvements	Yes
Lurgan & Portadown Public Realm Associated Infrastructure Improvements	Yes
Newtownbreda Waste Water Treatment Works	Yes
Dunmurry Waste Water Treatment Works Modifications	Yes
Newtownbreda Waste Water Treatment Works	Yes
Dunmurry Waste Water Treatment Works Modifications	Yes
Newtownbreda Waste Water Treatment Works	Yes
Dunmurry Waste Water Treatment Works Modifications	Yes
Ballymoney Waste Water Treatment Works	Yes
Cargan Waste Water Treatment Works	Yes
Cloughmills Waste Water Treatment Works	Yes
Maghaberry Flood Alleviation Projects	Yes
Castlerock Road Coleraine - Storm Sewer	Yes
Castlerock Road Coleraine - Storm Sewer	Yes
Martinstown Waste Water Treatment Works	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Lough Bradan Water Treatment Works Upgrade	Yes
Dungonnell Command Service Reservoir	Yes
Portaferry, Ballyquinton area mains replacement.	Yes
Whitehead, Ballystruder & Ballycarry Rationalisation	Yes
Whitehead, Ballystruder & Ballycarry Rationalisation	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
Whitehead, Ballystruder & Ballycarry Rationalisation	Yes
Dungonnell Command Service Reservoir	Yes
Tullaghans Service Reservoir, Dunloy, New Reservoir	Yes
CTM Extension - Barnetts Park to Purdysburn	Yes
Portaferry, Ballyquinton area mains replacement.	Yes
Whitehead, Ballystruder & Ballycarry Rationalisation	Yes
Tullaghans Service Reservoir, Dunloy, New Reservoir	Yes
Portaferry, Ballyquinton area	Yes
Dungonnell Command Service Reservoir	Yes
Tullaghans Service Reservoir, Dunloy, New Reservoir	Yes
Tullaghans Service Reservoir, Dunloy, New Reservoir	Yes
Tullaghans Service Reservoir, Dunloy, New Reservoir	Yes
CTM Extension - Barnetts Park to Purdysburn	Yes
Dungonnell Command Service Reservoir	Yes
Dungonnell Command Service Reservoir	Yes
Dungonnell Command Service Reservoir	Yes
<b>Department for Regional Development – Translink.</b>	
Building Condition Upgrade Programme Quantity Surveying Services	Yes
York Road Fuel Apron Quantity Surveying Services	Yes
York Road Fuel Apron Civil Engineer	Yes
York Road Fuel Apron Construction Design Management Services	Yes
York Road Fuel Apron Mechanical & Engineering Services	Yes
Bus Driver Training Facility Civil Engineer	Yes
Ballymena Permanent Way & Signalling Maintenance & Storage Facility Buildings Research Establishment Environment Assessment Method Services	Yes
Ballymena Permanent Way & Signalling Maintenance & Storage Facility Civil Engineer	Yes
Bridge Examination and Assessment. Programme- Engineering Consultants	Yes
Ballymoney Footbridge Replacement - Engineering Consultants	Yes
New Trains Two Platform Extension Feasibility Study	Yes
Antrim Station Signalling Improvements Feasibility Study	Yes
Coleraine to Derry Track Relay Construction Design Management Services	Yes
Ballymena Roof Canopy and Façade Replacement Architect	No
Ballymena Roof Canopy and Façade Replacement Quantity Surveying Services	No
Ballymena Roof Canopy and Façade Replacement Civil Engineer	No
<b>Department for Regional Development - Roads Service.</b>	
Foyle Street 'Bubble' Civil Engineer	No
Consultancy Services for the Assistance for the Delivery of the Roads Service SRI Programme - Major Works Planning, Assessment and Delivery Contract 2009	No
Consultancy Services Partner	Yes



<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
<b>Department of Education.</b>	
Slemish College	No
St Colm's	No
Edmund Rice Christian Brothers' Primary School	No
Holy Cross Boys' Primary School	No
Holy Cross Girls' Primary School	No
Holy Rosary Primary School	No
Mercy Primary School	No
St Aidan's Christian Brothers' Primary School	No
St Bernadette's Girls' Primary School	No
<b>Department of Education.</b>	
St Gerard's Educational Resource Centre	No
St John the Baptist Boys' Primary School	No
St John the Baptist Girls' Primary School	No
St Michael's Primary School	No
Star Of The Sea Girls' Primary School	No
St Mary's On The Hill Primary School	No
Convent Of Mercy Primary School	No
St Luke's Primary School	No
St Mark's Primary School	No
St Patrick's Primary School	No
Christian Brothers' Primary School	No
Mount St Catherine's Primary School	No
St Malachy's Primary School	No
St Patrick's Primary School	No
<b>Central Procurement Directorate.</b>	
New Headquarters for the Construction Industry Training Board (DEL)	Yes
Strabane Acquisition Melmount Road (DETI Invest NI)	Yes
Omagh Land Acquisition (DETI Invest NI)	Yes
Risk Management Training (DFP)	Yes
Dungannon Public Realm (DSD)	Yes
Craigavon Integrated Development Framework (DSD)	Yes
Strabane Town Centre Regeneration Masterplan (DSD)	Yes
Clarendon Area Belfast - Regeneration Masterplan (DSD)	Yes
Downpatrick Town Centre Masterplan (DSD)	Yes
St Patricks Barracks, Ballymena - Environmental Impact Assessment (DSD)	Yes
The Lands at Glen Road (Glen 10) Research Study (DSD / SIB)	Yes
Lisburn/Laganbank Transport Assessment (DSD)	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 November 08 and 1 June 09 (Yes/No)</b>
St Patrick's Barracks Ballymena - Transport Assessment (DSD)	Yes
Lisburn Masterplan (DSD)	Yes
Antrim, Ballymena & Larne - Retail & Commercial Leisure Study (DSD)	Yes
Masterplan for St Lucia Barracks, Omagh (DSD)	Yes
Curran Street, Portadown (DSD)	Yes
Regeneration Masterplan for Newtownards (DSD)	Yes
Design of Parade Ground, Enabling Platform & Infrastructural Works at Ebrington (DSD)	Yes
Grosvenor Barracks Enniskillen - Planning Permission (DSD)	Yes
Dungannon Town Centre Masterplan (DSD)	Yes
East Belfast Development Strategy (SIB)	Yes
DHSSPS – Health Estates	
Energy Centre Royal Group of Hospitals	Yes

**BUILDING AND CIVIL ENGINEERING CONTRACTS.**

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 Nov 08 and 1 June 09 (Yes/No)</b>
<b>Department for Regional Development – NI Water.</b>	
Kilmascally Road, Ardboe, Storm Sewer	Yes
Harmony Heights, Newry Foul Sewer Extension	Yes
Ormeau Road Storm Separation	Yes
Comber Rd/Portaferry Rd Newtownards Sewage Pumping Station	Yes
Mullaghboy Road, Bellaghy, Watermain Replacement	Yes
New foul sewer, Caledon Rd, Aughnacloy	Yes
Mountfield Waste Water Treatment Works	Yes
Springfield Road Warrenpoint Sewage Pumping Station Replacement	Yes
Moygashel Waste Water Treatment Works	Yes
Dunaval Sewage Pumping Station Storm Tanks	Yes
Victoria Rd, Ballyclare	Yes
Crevagh Park Sewage Pumping Station Abandonment	Yes
Reservoir Rehabilitation South East Area Phase 2	Yes
Knockloughrim Waste Water Treatment Works Outfall	Yes
Reservoir Rehabilitation South East Area Phase 2	Yes
Drumlegagh Storm Sewer Extension	No
Portballintrae Zone Watermain Improvements	Yes
Limavady Zone Watermain Improvements	Yes
Burn Road Cookstown Storm Sewer Extension	Yes
Cambrook Sewage Pumping Station to Green Road	Yes
Castor Bay to Dungannon Strategic Trunk Mains	Yes
Reservoir Rehabilitation South East Area Phase 2	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 Nov 08 and 1 June 09 (Yes/No)</b>
Churchill Park Sewage Pumping Station upgrade	Yes
Whitehouse DAP Phase 1	Yes
Altnahinch and Seagahan Water Treatment Works, Residual Sludge Disposal	Yes
Caherty Road, Broughshane	Yes
McClelland Park Dunloy Flood Alleviation DG5	Yes
Whitewater Bridge Straw Foul Sewer Extension	Yes
Munie Road/Straidkilly Road, Glenarm, Watermain Replacement	Yes
Windyhill Road/ Ballystrone Road, Coleraine, Watermain Extension	Yes
Church Street, Cookstown	Yes
Ballybogey Waste Water Treatment Works	Yes
Cranagh Waste Water Treatment Works	Yes
Loan Command Service Reservoir, Inlet Watermain	Yes
Foxgrove/Roughal Lane Sewage Pumping Station Upgrade	Yes
Frys Road, Ballymena New Watermain	Yes
Betterment and Deferment of Renewal for Mains Diversion at QUB	Yes.
Rostrevor Sewers Upgrading - Homers Lane Improvements	Yes
Upper Edward Street Newry	Yes
Roughfort Waste Water Treatment Works	Yes
Church Road Rasharkin Storm Sewer Extension	Yes
Kensington Gardens Flood Relief	Yes
Ligoniel Sewerage Scheme	Yes
Lissan Road Cookstown Replacement Storm Sewer	Yes
Derry City Centre Public Realm Replacement Watermains	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Magherafelt Waste Water Treatment Works	No
Moneygran Road Kilrea Foul and Storm Sewers	Yes
Feeny Waste Water Treatment Works	Yes
Glenarm Sewage Pumping Station	Yes
Edenderry Waste Water Treatment Works	Yes
Saintfield Waste Water Pumping Station, Pumping Main Replacement.	Yes
Killymore Road, Gortin Pumping Station	Yes
Aghyaran Road Booster Station	Yes
Grahamsbridge Road, Dundonald, Belfast Storm Sewer Extension.	Yes
Enkalon Industrial Park, Randalstown Road, Antrim, Watermain Extension	Yes
Donnybrewer Waste Water Treatment Works	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Kildowney Hill, Glarryford, Replacement Watermain	Yes
Drumcroom Road, Coleraine, Replacement Watermain	Yes

<b>Contracts Tendered Between 1 November 2008 and 1 June 2009</b>	<b>Contracts subsequently awarded between 1 Nov 08 and 1 June 09 (Yes/No)</b>
Donnybrewer Waste Water Treatment Works	Yes
Belvoir Park Trunk Sewer	No
First Time Services Visteon Site, Finaghy Road North, Belfast	Yes
Lisburn to the South Trunk Main Improvements	Yes
Lisburn to the South Trunk Main Improvements	Yes
Lisburn to the South Trunk Main Improvements	Yes
Lisburn to the South Trunk Main Improvements	Yes
Lisburn to the South Trunk Main Improvements	Yes
Caherty Road, Broughshane	Yes
Derry DAP: Storm Screening	Yes
Crumlin Road Lower Ballinderry Storm and Foul Sewer Extensions	Yes
Old Portglenone Road, Portglenone, Watermain Trunk	Yes
Joymount Carrick DAP Phase 1	Yes
Exchange Avenue, Doagh, Storm Sewer Extension	Yes
Dundrod Drive Lisburn Storm Sewer Upgrade	Yes
Reservoir Rehabilitation Programme Phase 3	No
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Carrowreagh Road Dundonald Storm Sewer	Yes
Fountainville Ave, Belfast, Sewer Collapse	Yes
Dungiven Waste Water Treatment Works	Yes
Waterside Zone Watermain Improvements	Yes
Ballygowan Zone Watermain Improvements	Yes
Mid Down Zone Watermain Improvements	Yes
Carmony Water Treatment Works Upgrade	No
Ballycastle Zone Watermains Improvements	Yes
A2 Shore Road Re-alignment — Greenisland	Yes
Moneymore STW Improvements	No
Dungiven Waste Water Treatment Works	Yes
Coagh Waste Water Treatment Works Improvements	No
Stewartstown Waste Water Treatment Works Improvements	Yes
Delinvilla Lane Dundrum Storm Sewer	Yes
Maghera Waste Water Treatment Works	Yes
Scroggy Road Glenavy	Yes
Maghaberry Flood Alleviation Projects	Yes
Abbey Grammar School Storm Sewer Extension	Yes
Regency Manor Sewage Pumping Station	Yes



Oaklands, Darragh Cross Sewage Pumping Station Upgrade	Yes
Castlerock Road Coleraine - Storm Sewer	Yes
Lurgan & Portadown Public Realm Associated Infrastructure Improvements	Yes
Antrim Road, Mallusk Foul and Storm Sewer Extension	Yes
Joymount Carrick DAP Phase 1	Yes
Lurgan & Portadown Public Realm Associated Infrastructure Improvements	Yes
Mains replacement ,Belfast Public Realm Phase 1 Area 2	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Reservoir Rehabilitation Programme Phase 3	Yes
Northern Key Transport Corridor, Ballymena Watermain Scheme	Yes
Lisburn to the South Trunk Main Improvements	Yes
Rathfriland Waste Water Treatment Works Inlet Screens and Combined Storm and Overflow System	No
<b>Department for Regional Development – Translink.</b>	
Antrim to Coleraine Bridge Replacements and Strengthening Civil Engineering Works	Yes
Jordanstown Park and Ride Main Contractor	Yes
Dungannon Park and Ride Main Contractor	Yes
Craigavon Engineering Roof Replacement	Yes
Whiteabbey Park and Ride Main Contractor	Yes
Foyle Street and Europa Bus Departure Stands Main Contractor	Yes
Coleraine to Derry Bridge Replacements Civil Engineering Works	No
Rock Slope Remedial Work	No
Whitehead — Larne & Coleraine to Deny Civil Engineering Works -	No
<b>Department for Regional Development – Roads Service.</b>	
Thompsons Bridge	No
A32 Clanabogan, Mullaghbane (One Off)	Yes
Wilmar Road / McKinstry Road	Yes
A5 Western Transport Corridor, Deny to Aughnacloy - Ground Investigations	No
AWTC Derry to Aughnacloy - Geodetic Survey	Yes
A2 Shore Road, Greenisland — Ground Investigation	Yes
A3 Dollingstown Crossroads Roundabout	Yes
Cairnshill Park & Ride	No
A24 Ballynahinch Bypass — Geodetic Survey	Yes
MTC Night-Time Scouting if illuminated street furniture 2009	No
Construction of a Roundabout and Road Realignment, A27 Tandragee Road, Portadown	Yes
Term Surface Dressing 2009	Yes
Term Surface Dressing 2009	Yes
Term Surface Dressing 2009	Yes
Term Surface Dressing 2009	Yes

Term Surface Dressing 2009	Yes
Term Contracts for the Maintenance and Improvement of Structures - 2009	No
A26 Ballee Road East to M2 Ballymena Bypass Dualling Scheme	Yes
A2 Maydown to City Of Deny Airport Dualling	Yes
A8 Belfast To Lame Dual Carriageway	No
A24 Saintfield Road, Belfast, Resurfacing and Cycling Measures	No
MTC Maintenance & Improvement of Street Lighting 2009	No
Resurfacing A57 Ballyrobin Road, East of Killead	Yes
A5 Main Contract	No
A5 Geotechnic Contract - OJEU Ref 09/S50-072495/EN	No
A5 Geotechnic Contract — OJEU Ref 09/S81-116248/EN	Yes
<b>Department of Education (DE).</b>	
Magherafelt HS	No
Whitehouse PS & NS	No
St Marks HS, Warrenpoint - Provision of 4 Mobile Classrooms	No
St Ciaran's HS, Ballygawley - Provision of Football Pitch	No
St Pauls JHS, Lurgan - Provision of Home Economics Room	Yes
St Bridgid's HS, Armagh - Refurbishment of Toilets	Yes
St Patrick's Academy, Dungannon - Fire Risk Assessment works	Yes
St Josephs Grammar, Donaghmore - Replacement of Flat Roof	Yes
Aughamullan PS, Coalisland - Provision of temporary accommodation	Yes
Dominican College, Portstewart - Replace 2 Mobiles	Yes
St Patricks and St Josephs Fed PS - Refurbish Principal's & Secretary's Office	No
Friends School, Lisburn - Boiler Plant Phase 2	Yes
St Patricks and St Josephs Fed PS - Provision of Single Mobile	Yes
Glenravel PS - Provision of Single Mobile	Yes
St Joseph's HS, Crossmaglen - Refurbishment of Toilets	No
St Ciarans HS, Ballygawley - Refurbishment of Staffroom	No
St Pauls HS, Kilrea - Entrance Gates to College	No
St Colm's HS, Draperstown - Extension of School Office	No
Edmund Rice College, Glengormley - Refurbishment of Female Toilets	No
St Marys PS, Cushendall - Special Needs Adaptations	Yes
St Louis GS, Ballymena - Refurbish Toilets/Link Roof	No
Sullivan Upper, Holywood - Provision of air conditioning	Yes
St Patricks PS, Holywood - Replacement of Windows	Yes
St Colmcille's HS, Crossgar - Refurbishment of Staffroom	Yes
St Columba's College, Portaferry - Refurbishment of Home Economics	Yes
St Pauls HS, Kilrea - Provision of Double Mobile	No
St Bridgid's HS, Armagh - Provision of Home Economics Room	Yes
Coleraine Acad. Inst - Provision of Home Economics Room	No

St Patrick's PS, Glen - Special needs adaptations	Yes
Bangor Grammar - Home Economics Suite	Yes
St Patrick's and St Bridgid's HS, Claudy -Refurb of Various Schemes	Yes
St Joseph's PS, Crumlin - Special Needs	Yes
St Michael's Enniskillen - HE/Hygiene Room	Yes
St Bernadette's PS, Belfast -New Heating System	Yes
Lismore Comprehensive - Refurbishment of Music Room	Yes
St Patrick's PS Holywood - Replacement of Windows	Yes
St Mary's PS, Kircubbin - Upgrade of Windows	Yes
De La Salle, Downpatrick - Repl of Windows & Concrete Repairs	Yes
<b>North Eastern Education &amp; Library Board.</b>	
Ballymena NS - Ibex Fencing	Yes
Dunclug NS - Security Fence	Yes
Straidbilly PS - Provision of Car Park	Yes
Ballee Comm. HS - Security Fence	Yes
Downshire School - Site Security	Yes
Various Post Primary - Circular Saws	Yes
Ballymena PS - Structural Repairs	Yes
Mossgrove PS - Re-Roofing to Bicycle Sheds	Yes
Rathenraw Int PS - Partial Roof Covering	Yes
Gorran PS - ballstop Fence to Football Pitch	Yes
The Irish Society's PS - DDA Works	Yes
Whiteabbey PS - Security Fence	Yes
Ballee Com HS - Fire Alarm Replacement	Yes
Crumlin Int College - Fire Alarm Replacement	Yes
Larne HS - Site Security	Yes
Proposed ISO 1401 Cert for ABC	Yes
Garvagh Youth Centre - External Works	Yes
Sunlea Youth Centre - Lounge Alteration	Yes
St Colm's HS - Replacement of Boilers	Yes
Maghera Grounds MD - Fuel Storage&Pump	Yes
Mount St Michael's PS - Partial Re-Roofing	Yes
Coleraine Library - Re-Carpeting	Yes
Various NEELB Properties - Lift Maintenance	Yes
Carrickfergus Library - Refurb Rental Unit	No
Whitehead Library - Ext and Refurb	No
Ballycastle Int PS - Outdoor Play Area	Yes
Downshire School - BS Modular, IT Network	No
Larne HS - Synthetic Pitch	No
ABC - ASD Support Staff	Yes

Whitehouse New PS and Nursery Unit	No
Magherafelt New HS	No
Carrickfergus Library - Refurb	No
Coleraine HS - Rewiring - Emergency Work	Yes
Carnalbanagh PS - Internal Alterations	No
Whitehead PS - Hygiene Room and DDA	No
Altayeskey PS - Replacement of Fence	No
Carnalbanagh PS - Complete Resurfacing	No
Duneane PS - Partial Resurfacing	No
Garvagh PS - Partial Resurfacing	No
Hazelbank PS - Partial IBEX Fence	No
Kells&Connor PS - Floor Replacement	No
Kilcoan PS - PVC Window Replacement	No
Lordes PS - Window Replacement	No
Mallusk PS - Window Replacement	No
Mount St Michael's PS Dining Hall - Re-Plas	No
Mount St Michael's PS - Resurfacing	No
Silverstream PS - Window Replacement	No
St Mary's Building of St Patrick's College	No
St Patrick's College - Floor Replacement	No
Rosstulla School - Fence and Wall	No
<b>Southern Education &amp; Library Board.</b>	
Donacloney PS Phase 2 Extension & Refurbishment	Yes
Fair Hill PS Classroom & Office Extension	Yes
Kilbroney PS Minor Improvements	Yes
Kilkeel HS Refurbishment of Home Economics Suite	Yes
Newry HS Refurbishment of Home Economics Suite	Yes
Edenderry PS Portadown Minor Improvements	Yes
Markethill PS Office Extension & Alterations	Yes
Aughnacloy PS Refurbishment to provide Principal's Office, Resource Area	No
Birches PS Traffic Management	No
Lisnadill PS Extension	No
Edenderry PS, St Mary's Cabra, Orchard County PS & Richmount PS Supply and Installation of PV Panels	Yes
Kilkeel HS Upgrade of Fire Alarm System	Yes
Cookstown HS Upgrade of Fire Alarm System	Yes
City of Armagh HS Upgrade of Fire Alarm System	Yes
Banbridge HS Upgrade of Fire Alarm System	Yes
St Joseph's College Coalisland Upgrade of Stage Area/Gym	Yes



<b>South Eastern Education &amp; Library Board.</b>	
Moneyrea Primary - Provision of new classroom and lobby extension	Yes
Kircubbin Primary - Provision of new Assembly Hall and classroom	Yes
Groomsport ILSU - conversion of former Groomsport PS premises	Yes
Barbour Nursery - indoor communal area, parents room and kitchen	Yes
Glenbrook Nursery - indoor communal area, parents room, windows & kitchen	Yes
Knockbreda Nursery - indoor communal area, parents room and kitchen	Yes
Movilla High - refurbishment of Home Economics rooms	Yes
Down High - provision of mobile for technology	Yes
Ardnabannon OEC - refurbishment of first floor recreation area	Yes
Former Conlig Primary School premises - change of use to Youth facility	Yes
Killowen Primary - provision of newbuild nursery unit	No
Killyleagh OEC - refurbishment of basement area	Yes
Lisnasharragh Primary - building repairs	Yes
Moirra Primary - provision of nursery unit	Yes
Parkview Special - provision of school leavers' unit	Yes
Bangor Academy Clanmorris campus - demolition of former school premises	Yes
Ballybeen Youth Centre - newbuild youth facility	Yes
Derryboye Primary - car park, including lease of land	Yes
<b>Western Education &amp; Library Board.</b>	
Collegiate GS Enniskillen - Manu, Del and Erection of Pre-fab Building	Yes
Drumachose PS - Bitumen Macadam	Yes
Various Locations - Bin Enclosures	Yes
Devenish College - Manu, Del and Erection of Pre-fab Building	Yes
Castleberg HS - Manu, Del and Erection of Pre-fab Building	Yes
Lenamore PS Part roof replacement	Yes
Rosemount PS - Replacement Windows, Doors & Screens	Yes
Castleberg Transport Depot - Manu, Del & Erection of Pre-fab Building	Yes
Dungiven New Library - Main Contract	Yes
Limavady GS - Science Refurbishment	Yes
<b>Central Procurement Directorate.</b>	
Supply & Fit of Fitted Furniture & Display Units - Ulster American Folk Park, Omagh (DCAL)	Yes
Corr's Corner & Hightown Road Junction Improvements (DETI Invest NI)	No
Rural Road Upgrade & Ancillary Works at Edenaveys, Co Armagh (DETI Invest NI)	No
New Jobs and Benefits Office for Newcastle (DFP)	No
Bespoke Furniture & Reception Counter at IOCT Cultra (DFP)	Yes
Dalchoolin Gallery Painting and Remedial Works, Roller Shutter Doors (DFP)	Yes
Dalchoolin Gallery - Roofing (DFP)	Yes
Provision of AV Installations at levels 2 and 9, Causeway Exchange, Belfast (DFP)	Yes

Supply & Fit of Double Glazed Relocatable Partitions at Causeway Exchange (DFP)	Yes
Supply & Fit of Fitted Furniture for Causeway Exchange (DFP)	Yes
New Control Room at Stormont Cottages (DFP)	Yes
Roe Valley Country Park Hydro Electric Power Restoration Scheme (DOE)	No
Design & Development of Gatehouse and Administration Buildings, Crumlin Road Gaol (DSD Urb Reg)	No
Fountain Street Public Artwork (2nd Competition) (DSD Urb Reg)	No
120 person & 20 person Cellular Accommodation Blocks (NIO)	No
Upgrade of CCTV, Fire & Intruder Alarm Systems at Various NI Court Svs Premises (NIO)	No
<b>DSD Housing Division (NIHE).</b>	
Warm Home Scheme	No
Group Repairs - Beechmount	Yes
Woodburn 6 Completion	No
Aluminium Bungalows, Maghera	Yes
Mullaghmore Estate, Omagh	Yes
<b>DHSSPS – Health Estates</b>	
Iveagh Assessment & Treatment Unit	Yes
Shankill & Beech Hall Wellbeing & Treatment Centre	Yes
Victoria Pharmaceuticals	Yes
Royal Group of Hospitals, Roof refurbishment at EENT Building,	Yes
Royal Group of Hospitals and Belfast City Hospital, Fire Safety Improvements Phase1	Yes
Royal Group of Hospitals and Belfast City Hospital, Fire Safety Improvements Phase2	Yes
Royal Hospital for Sick Children, Roof refurbishment	Yes
Royal Group of Hospitals, Floor Repairs at Outpatients/EENT Buildings,	Yes
Belfast City Hospital, Demolition of old Renal Building and Provision of vehicle parking.	Yes
Royal Group of Hospitals, Replacement sanitary ware at EENT Building,	Yes
Royal Belfast Hospital for Sick Children, Refurbishment of Musgrave Ward	Yes
Royal Belfast Hospital for Sick Children, Refurbishment of Clarke Clinic	Yes
Royal Belfast Hospital for Sick Children, refurbishment of Children's Cafe	Yes
Alterations to 204 Duncairn Gardens, for Smile sure Start	Yes
Belfast City Hospital, Tower Block, Alterations to the Entrance.	Yes
Alterations to a number of buildings to assist in staff relocation	Yes
Demolition of a number of properties in Belfast Trust	No
Royal Group of Hospitals, Refurbishment of D Ward	Yes
Royal Group of Hospitals, Provision of sectional buildings	Yes
Musgrave Park Hospital, replace windows at McKinney House.	Yes
Measured Term Contract for Minor Building works valued up to £100,000	Yes
Internal alterations to accommodate AERS Causeway Hospital	Yes
Conversion of existing building to Med/surgical ward, Mid Ulster Hospital	Yes
Internal alterations to create new Palliative Care Suite, Inver House	Yes

Firecode Wd 7 McCaughey Hse, Whiteabbey Hospital	Yes
Replacement hardwood windows, Lissan Wd 1, Holywell Hospital	Yes
Refurbishment Whitehead Health Centre	Yes
Refurbishment Beeches, Ballyclare	Yes
PICU, Holywell Hospital	Yes
Post Grad Centre, Antrim Hospital	No
Firecode Dalriada MS Unit	Yes
Firecode Whitehaven Respite Unit	Yes
Firecode Clonmore House	Yes
Alterations to Maternity at Daisy Hill Hospital	Yes
Alterations to Former Psychiatric Outpatients for Dermatology Services at Craigavon Area Hospital	Yes
Proposed Car Park Management Scheme Craigavon Area Hospital	Yes
Upgrade Ward Accommodation at Loane House South Tyrone Hospital	Yes
Refurbishment & Electrical Rewire of Crozier House	Yes
Replacement of Existing Theatre Laminar Flow Canopy at South Tyrone Hospital	Yes
Decentralisation Site Heating Accommodation Blocks Craigavon Area Hospital	Yes
Replacement of Air Handling Units Daisy Hill Hospital	Yes
Decentralisation Boilerhouse at St. Lukes Hospital	Yes
Rewiring of Cloughreagh House Bessbrook	Yes
Alterations to Kitchen 4th Floor Daisy Hill Hospital	No
Infection Control Works Medical Ward Daisy Hill Hospital	Yes
Infection Control Works Craigavon Area Hospital	Yes
Decontamination Facilities & Extension to CSSD at Craigavon Area Hospital	Yes
Outbreak Ward at Craigavon Area Hospital	Yes
Replacement of Windows in Willowbank Staff Accommodation Craigavon Area Hospital	Yes
Redecorations at 7 Locations - Eastern Area	Yes
Air Conditioning Units at FRS Headquarters & Lisburn Fire Station	Yes
Window Replacement [Various Locations]	Yes
Drill Towers at Northland, Portadown & Portaferry	Yes
Refurbishment and Risk Work UH Wards	Yes
Alterations / Refurb Scrabo Children's Centre Ards	Yes
Upgrade Junior Doctors accommodation Ulster, Lagan Valley and Downshire	Yes
Demolition of McDermott House	Yes
Replacement of Boiler Controls LVH	Yes
Altnagelvin Cedar House - External Cladding & Associated Works	Yes
Unit 31 Lackaghboy Ind. Estate - Complete Internal Redecoration & Minor Refurbishment	Yes
1 Ferone Drive, Omagh - Proposed Adaptations and Refurbishment	Yes
Erne Hospital Modular Building - Healthcare Training Room	Yes
Measured Term Contract for Minor Civil Engineering works valued up to £50,000	Yes
Integrated Car Park / Hospital Access Management System at Craigavon Area Hospital	Yes

### Maintained Grass Areas

**Mr Weir** asked the Minister of Finance and Personnel to detail the total area of grass maintained by each government Department and their agencies in 2008/09. (AQW 8698/09)

**The Minister of Finance and Personnel:** The total area of grass maintained is as follows:-

Department	Area in sqm	Comments
DEL	Nil	
DHSSPS	Not available	The information is not held centrally.
DFP	Not available	Area of Stormont Estate grass is approx. 408,646m <sup>2</sup> . Area information on other sites is not available.
DOE	11,733,829	Includes pasture lands within Nature Reserves and some Country Parks which are managed by the NIEA, including grassland managed by grazing (10,850,000 sqm)
DRD	72,400,000	
DE	9,113,447	
DCAL	300,579	Excludes water recreation sites and towpaths as area is not available.
OFMDFM	12,140	
DSD	13,349,021	
DETI	Not available	The area of grass cannot be readily disaggregated as it is included as part of a comprehensive grounds maintenance contract which also includes maintenance of shrub beds, tree pruning and plant replacement.
DARD	3,925,000 to 3,930,000	Includes grass maintained by cutting and livestock grazing.

### Maintained Grass Areas

**Mr Weir** asked the Minister of Finance and Personnel what the total cost to each Department was of maintaining grassed areas in 2008/09. (AQW 8699/09)

**The Minister of Finance and Personnel:** The total cost of maintaining grassed areas is as follows:-

Department	Cost £	Comments
DEL	Nil	
DHSSPS	Nil	
DFP	Not Available.	Cost for maintaining grassed areas can not be disaggregated from the overall cost of ground maintenance.
DOE	£153,098	Excludes the cost of grass maintenance which is carried out as part of maintaining pasture lands (£25,000) the grass maintenance element of which can not be disaggregated.
DRD	£5,400,000	
DE	£1,117,038	
DCAL	£75,994	
OFMDFM	£16,785	
DSD	£2,348,201	Excludes the cost of grass maintenance which is carried out under a general ground maintenance contract (£54,965) the grass maintenance element of which can not be disaggregated.
DETI	Not Available.	Cost for maintaining grassed areas can not be disaggregated from the overall cost of ground maintenance.



Department	Cost £	Comments
DARD	£159,600	This includes costs for general grounds maintenance (including grass maintenance) across several DARD sites. However, it is not possible to disaggregate the costs for maintaining some grassed areas on these sites from the overall cost of ground maintenance.

### Sexual Harassment

**Mr Hamilton** asked the Minister of Finance and Personnel (i) how many claims of sexual harassment have been made by members of the Civil Service against fellow members of the Civil Service in each of the last 5 years; (ii) how many of these cases resulted in disciplinary action and; (iii) to provide a breakdown of the disciplinary action taken. (AQW 8864/09)

**The Minister of Finance and Personnel:** The information requested is set out in the attached table.

Year	Number of complaints of sexual harassment	Number of complaints upheld	Disciplinary action
2008	2	Investigations on-going	Investigations On-going
2007	2	0	N/A
2006	8	5	2 cases – disciplinary action was not taken due to officer's retirement 2 cases – disciplinary transfer to another location and required to give a written apology 1 case – formal warning
2005	4	3	1 case – formal warning 1 case – formal warning on file for 3 years and £150 fine 1 case – formal warning on file for 3 years; not eligible for promotion for duration of warning; disciplinary transfer to another location; fine of deduction of 1 incremental salary point; and equal opportunities training.
2004	5	0	N/A

### Central Procurement Directorate

**Mr Hamilton** asked the Minister of Finance and Personnel how many contracts were awarded by the Central Procurement Directorate in each of the last 3 years; and the number of these that were awarded to Northern Ireland based companies. (AQW 8866/09)

**The Minister of Finance and Personnel:** The table below provides details of contracts awarded by Central Procurement Directorate in each of the last three years.

Periods	No of Contracts Awarded	No of Contracts Awarded to NI based Companies
2006-07	562	465
2007-08	610	462
2008-09	495	383
<b>Totals</b>	<b>1667</b>	<b>1310</b>

The table includes individual contracts, new framework agreements and contracts awarded following secondary competitions under existing framework agreements.

Purchase Orders placed using call-off arrangements in existing contracts are not included.

## Press and Public Relations Department

**Mr Gardiner** asked the Minister of Finance and Personnel to detail the number of staff employed in his press and public relations department and their overall cost in each year from 2003/04. (AQW 8885/09)

**The Minister of Finance and Personnel:** The information requested is set out in the table below.

Financial Year	Total salary costs	Number of Staff in post at 1 April
2003/04	£136,412	5
2004/05	£141,047	6
2005/06	£144,763	6
2006/07	£129,547	6
2007/08	£117,790	6
2008/09	£136,696	7

## Planned Receipts

**Mr McNarry** asked the Minister of Finance and Personnel to give details of all planned receipts for all Departments for this current financial year and the current level of such receipts with particular reference to any indications of shortfall. (AQW 8919/09)

**The Minister of Finance and Personnel:** At the June monitoring round the resource receipts planned for my department in the 2009/10 financial year amount to £68.9m. These projected receipts relate to services provided by DFP to the wider public sector and services to the public including land registration, the General Register Office and mapping services. To date, my department has received resource income of £16.3m in 2009/10 and is currently on course for achieving the planned levels.

No capital receipts are anticipated for 2009/10 at this time, although the department continues to review all of its income projections throughout the year in the context of in-year monitoring.

My department does not hold details of all planned receipts for departments and enquiries related to the receipts of other departments should be referred to the relevant Ministers.

## Financial Year

**Mr McNarry** asked the Minister of Finance and Personnel (i) for his assessment of his Department's performance in the last financial year; and (ii) to detail (a) what projects it failed to deliver; (b) what projects it postponed to the next financial year or later; and (c) whether it overspent or underspent on projects, and by how much. (AQW 8921/09)

**The Minister of Finance and Personnel:** My Department has made significant progress during 2008/09, with key reform projects having been implemented or progressed to critical phases of implementation, and an enormous amount has been achieved in improving access to public services, under the NI Direct Programme.

The implementation of key reform projects has been a significant challenge for both my Department and indeed the wider NICS. These are large and complex projects and those areas in which there has been some slippage are:

- Account NI which at the 31 March had been implemented for the majority of NICS Departments, with the final 2 Departments migrating to the new service on 6 July 2009; and
- HR Connect which comprises seven HR services. Of these, five services were operational by the end of March 2009, the sixth service went live in May 2009, and the final service is the Industrial Payroll which is due to go live next month.

The Workplace 2010 PFI procurement was terminated earlier this year, due to external circumstances, and a review of alternative means of achieving the objectives of the programme is currently underway.

For the 2008/09 financial year there was an underspend of £1.0m resource and £nil capital on key reform projects.

## Selection Process for Senior Management

**Mr Gardiner** asked the Minister of Finance and Personnel to outline the selection process for senior management in each Department, including Permanent Secretaries. (AQW 8974/09)

**The Minister of Finance and Personnel:** The vast majority of senior management positions (Grade 5 and above, including Permanent Secretaries) are filled by external competition with a small number of posts filled internally. The selection process used for internal competitions largely mirrors that for external recruitment which is explained in detail in the Northern Ireland Civil Service policy and procedures manual which can be accessed at [www.nicsrecruitment.gov.uk](http://www.nicsrecruitment.gov.uk)

This process consists of a competition initiation meeting which agrees the selection criteria for the competition and in the case of external competitions, is chaired by a Civil Service Commissioner. The competition is only advertised after all of the selection criteria are formally agreed and approved. Following the closing date for applications, the selection panel meet and determine which applicants have satisfied the eligibility and shortlisting criteria. These candidates are invited to interview and in some cases a test or required to do a presentation. The candidate who best demonstrates the selection criteria and who is top in the order of merit will be processed with a view to offering her/him an appointment.

## Average Salary

**Mr Hamilton** asked the Minister of Finance and Personnel what the average salary is in the NI Civil Service. (AQW 8976/09)

**The Minister of Finance and Personnel:** The most up to date figure held for the full-time equivalent average salary for Northern Ireland Civil Servants is that for 31 October 2008, and is £22,370.

## Northern Ireland Civil Service

**Mr Weir** asked the Minister of Finance and Personnel how many people are employed in the NI Civil Service. (AQW 8986/09)

**The Minister of Finance and Personnel:** The number of NI Civil Servants (permanent and temporary, industrial and non-industrial), based on headcount, in the eleven Northern Ireland Departments and their Agencies at 1 April 2009, was 25,213.

## DEPARTMENT OF HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY

### Autistic Spectrum Disorders

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what services exist for people over 16 years old with Autistic Spectrum Disorders. (AQW 4552/09)

**The Minister of Health, Social Services and Public Safety (Mr McGimpsey):** Health and Social Care Trusts (Trusts) have responsibility for the provision of services in Northern Ireland.

All five Trusts provide a wide range of services for people over the age of 16 who have Autistic Spectrum Disorder. Services range from assessment and intervention, carried out by Clinical Psychologists and Speech and Language Therapists, to residential placements, day support and transitions services.

Due to the number of different settings in which assessment can take place and the professional skills involved, services are identified through individual care planning processes, involving the full multi-disciplinary team as appropriate.

### Referrals for Heart Surgery

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety how many referrals for heart surgery there have been to the (i) Mater Private Hospital, Dublin; (ii) Blackrock Hospital, Dublin; (iii) Guys Hospital, London; and (iv) HCI International Medical Centre, Glasgow, in each of the last three years. (AQW 6987/09)

**The Minister of Health, Social Services and Public Safety:** The table below shows the number of referrals from the Belfast Health and Social Care Trust (the only Trust that provides cardiac surgery in Northern Ireland) to (i) Mater Private Hospital, Dublin; (ii) Blackrock Hospital, Dublin; (iii) Guys Hospital, London; and (iv) HCI International Medical Centre, Glasgow for heart surgery in each of the last three years.

Number of referrals for heart surgery from Belfast HSC Trust to:	Year		
	2006/07	2007/08	2008/09
Mater Private Hospital, Dublin	74	159	349
Blackrock Hospital, Dublin	60	0	24
Guys Hospital, London	16	91	38
HCI International Medical Centre, Glasgow	0	0	0

Source: Belfast Health and Social Care Trust

I am committed to improving access to hospital services and I have set a target that, by the end of March 2009, no patient should wait longer than 13 weeks for cardiac surgery. Referral to other centres has ensured a reduction in waiting times for the surgery they require to improve their health and quality of life. It has also improved access for patients who require cardiac surgery. Patients are offered a choice of referral to other centres.

### Southern Health and Social Care Trust

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) hotel accommodation; and (ii) flights for consultants flown in to reduce outpatient waiting lists by the Southern Health and Social Care Trust, in each of the last three financial years. (AQW 7203/09)

**The Minister of Health, Social Services and Public Safety:** Contracts for the procurement of assessment and/or treatment services from the independent sector are negotiated through a competitive tendering process aimed at ensuring best value for money. Contracts are agreed on a price per case basis. The agreed price includes all of the costs associated with the contract, including any staff travel or accommodation costs where appropriate. Separate information on accommodation or travel costs is not available.

### Belfast Health and Social Care Trust

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) hotel accommodation; and (ii) flights for consultants flown in to reduce outpatient waiting lists by the Belfast Health and Social Care Trust, in each of the last three financial years. (AQW 7204/09)

**The Minister of Health, Social Services and Public Safety:** Contracts for the procurement of assessment and/or treatment services from the independent sector are negotiated through a competitive tendering process aimed at ensuring best value for money. Contracts are agreed on a price per case basis. The agreed price includes all of the costs associated with the contract, including any staff travel or accommodation costs where appropriate. Separate information on accommodation or travel costs is not available.

### Northern Health and Social Care Trust

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) hotel accommodation; and (ii) flights for consultants flown in to reduce outpatient waiting lists by the Northern Health and Social Care Trust, in each of the last three financial years. (AQW 7205/09)



**The Minister of Health, Social Services and Public Safety:** Contracts for the procurement of assessment and/or treatment services from the independent sector are negotiated through a competitive tendering process aimed at ensuring best value for money. Contracts are agreed on a price per case basis. The agreed price includes all of the costs associated with the contract, including any staff travel or accommodation costs where appropriate. Separate information on accommodation or travel costs is not available.

### Western Health and Social Care Trust

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail the cost of (i) hotel accommodation; and (ii) flights for consultants flown in to reduce outpatient waiting lists by the Western Health and Social Care Trust, in each of the last three financial years. (AQW 7206/09)

**The Minister of Health, Social Services and Public Safety:** Contracts for the procurement of assessment and/or treatment services from the independent sector are negotiated through a competitive tendering process aimed at ensuring best value for money. Contracts are agreed on a price per case basis. The agreed price includes all of the costs associated with the contract, including any staff travel or accommodation costs where appropriate. Separate information on accommodation or travel costs is not available.

### Nursing Agency Fees

**Miss McIlveen** asked the Minister of Health, Social Services and Public Safety how much has been spent on nursing agency fees, in each Health and Social Care Trust, in each of the last five years. (AQW 7292/09)

**The Minister of Health, Social Services and Public Safety:** Information on the cost of Agency staff is published on a bi-annual basis on the departmental website at [www.dhsspsni.gov.uk/index/hrd/wpu/wpu-monitoring.htm](http://www.dhsspsni.gov.uk/index/hrd/wpu/wpu-monitoring.htm)

### Facial Vascular Malformation

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what treatment is currently available for Facial Vascular Malformation. (AQW 7498/09)

**The Minister of Health, Social Services and Public Safety:** It is assumed that this question refers to Facial Vascular Malformation. Vascular malformations are usually congenital and affect the vascular system including arteries, veins, capillaries and lymphatic channels.

A regional multi-disciplinary vascular anomalies clinic is held at least four or five times a year at the Royal Victoria Hospital (RVH) and is attended by health professionals from a range of medical disciplines, principally plastics and dermatology, with an interest in vascular cases. The clinic sees patients with all types of vascular anomalies including facial vascular malformation. Patients are referred to the RVH for radiology treatment and surgery and the Ulster Hospital for laser treatment and surgery.

The Belfast Health and Social Care Trust submitted a service development proposal in November 2008 for a sclerotherapy service at the RVH Imaging Centre. Sclerotherapy is an interventional radiology procedure less invasive than surgery which is used in the treatment of facial vascular malformation. The proposal is currently being considered by the Health and Social Care Board.

### ICATS Project

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many GPs are taking part in the ICATS project in the South Eastern Health and Social Care Trust. (AQW 7504/09)

**The Minister of Health, Social Services and Public Safety:** Integrated Clinical Assessment and Treatment Services (ICATS) are provided by multi-disciplinary teams of health service professionals, including GPs with special interests, specialist nurses and other allied health professionals. ICATS are provided in a variety of primary and secondary care settings and include assessment, treatment, diagnostic and advisory services for patients referred to the service.

ICATS ensures that patients are referred to the most appropriate next step in a defined care pathway. Patients assessed as needing to see a hospital consultant will do so after having had all the necessary diagnostic tests completed.

I am advised that five GPs within the South Eastern Health and Social Services Trust area are taking part in ICATS.

The ICATS service commenced in December 2006, initially dealing only with orthopaedics. The present service covers orthopaedics, ENT, ophthalmology, dermatology, urology and cardiology.

Substantial investment has been available to Boards for the development and implementation of ICATS services. I allocated £2m to support the initial implementation of ICATS in 2006/07 and have increased this allocation to £9m recurrently from 2007/08.

### ICATS Project

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail which health specialities are involved in the ICATS project. (AQW 7505/09)

**The Minister of Health, Social Services and Public Safety:** Integrated Clinical Assessment and Treatment Services (ICATS) are provided by multi-disciplinary teams of health service professionals, including GPs with special interests, specialist nurses and other allied health professionals. ICATS are provided in a variety of primary and secondary care settings and include assessment, treatment, diagnostic and advisory services for patients referred to the service.

ICATS ensures that patients are referred to the most appropriate next step in a defined care pathway. Patients assessed as needing to see a hospital consultant will do so after having had all the necessary diagnostic tests completed.

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Substantial investment has been available to Boards for the development and implementation of ICATS services. I allocated £2m to support the initial implementation of ICATS in 2006/07 and have increased this allocation to £9m recurrently from 2007/08.

### ICATS Project

**Mr Easton** asked the Minister of Health, Social Services and Public Safety for how long has the ICATS project been running. (AQW 7506/09)

**The Minister of Health, Social Services and Public Safety:** Integrated Clinical Assessment and Treatment Services (ICATS) are provided by multi-disciplinary teams of health service professionals, including GPs with special interests, specialist nurses and other allied health professionals. ICATS are provided in a variety of primary and secondary care settings and include assessment, treatment, diagnostic and advisory services for patients referred to the service.

ICATS ensures that patients are referred to the most appropriate next step in a defined care pathway. Patients assessed as needing to see a hospital consultant will do so after having had all the necessary diagnostic tests completed.

I am advised that five GPs within the South Eastern Health and Social Services Trust area are taking part in ICATS.

The ICATS service commenced in December 2006, initially dealing only with orthopaedics. The present service covers orthopaedics, ENT, ophthalmology, dermatology, urology and cardiology.

Substantial investment has been available to Boards for the development and implementation of ICATS services. I allocated £2m to support the initial implementation of ICATS in 2006/07 and have increased this allocation to £9m recurrently from 2007/08.

## ICATS Project

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how much the ICATS project costs. (AQW 7507/09)

**The Minister of Health, Social Services and Public Safety:** Integrated Clinical Assessment and Treatment Services (ICATS) are provided by multi-disciplinary teams of health service professionals, including GPs with special interests, specialist nurses and other allied health professionals. ICATS are provided in a variety of primary and secondary care settings and include assessment, treatment, diagnostic and advisory services for patients referred to the service.

ICATS ensures that patients are referred to the most appropriate next step in a defined care pathway. Patients assessed as needing to see a hospital consultant will do so after having had all the necessary diagnostic tests completed.

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Substantial investment has been available to Boards for the development and implementation of ICATS services. I allocated £2m to support the initial implementation of ICATS in 2006/07 and have increased this allocation to £9m recurrently from 2007/08.

## Diary Engagements

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail what his diary engagements were for Tuesday 5 May 2009. (AQW 7614/09)

**The Minister of Health, Social Services and Public Safety:** On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 5 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

## Diary Engagements

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail what his diary engagements were for Tuesday 5 May 2009. (AQW 7616/09)

**The Minister of Health, Social Services and Public Safety:** On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 5 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;

- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

### Diary Engagements

**Mr Easton** asked the Minister of Health, Social Services and Public Safety to detail what his diary engagements were for Monday 11 May 2009. (AQW 7618/09)

**The Minister of Health, Social Services and Public Safety:** On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 2 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

### Maternity Support Strategy

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety if he is aware that officials in his Department from the 31 October 2008 removed the Maternity Support Strategy as a departmental target. (AQW 7655/09)

**The Minister of Health, Social Services and Public Safety:** The Departmental Board position on this matter reflects my decision that in light of priorities emerging in 2008, this work was better delayed until the Regulation and Quality Improvement Authority review of maternity services and the Eastern Health and Social Services Board review of maternity capacity were completed.

Once both these reviews are completed and the results examined, a new departmental objective in this area will be considered.

### Epilepsy Services

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety if he will establish a review of epilepsy services similar to the review carried out by the Welsh Assembly. (AQW 7810/09)

**The Minister of Health, Social Services and Public Safety:** In Northern Ireland people suffering from this very debilitating condition have access to appropriate care and treatment, ranging from primary and community care to specialist regional neurology services, depending on their assessed individual needs.

I can advise that in 2002, following a review of neurology services, my Department published 30 recommendations for improvements in the provision and delivery of services, including epilepsy. I have now commissioned a full and comprehensive evaluation and report of the effectiveness of the implementation of those recommendations.



In parallel with that evaluation my Department will review the continued relevance of these recommendations in light of any professional or other guidance issued since their publication. That review will include advice and guidance issued in other parts of the United Kingdom.

The work now underway will inform the Department as to the need for the further development of services for people with epilepsy in Northern Ireland.

### Consultants

**Mr Craig** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on internal and external consultants, in each of the last three years. (AQW 7899/09)

**The Minister of Health, Social Services and Public Safety:** Departmental expenditure (including Health Estates Agency), on Internal and External consultancy is as follows:-

2008/09	Figures have not been finalised
2007/08	£2,312,561
2006/07	£2,519,016

### Paediatric Epilepsy

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety how many diagnosed cases of paediatric epilepsy there are in the Western Health and Social Care Trust area. (AQW 7910/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of diagnosed cases of epilepsy and paediatric epilepsy there are in the Western Health and Social Care Trust area is not available.

### Fire and Rescue Service

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety to confirm that pay awards to Northern Ireland Fire and Rescue Service directors did not follow the proper approval process. (AQW 8337/09)

**The Minister of Health, Social Services and Public Safety:** The Northern Ireland Fire and Rescue Service (NIFRS) upgraded the salaries of three non-uniformed directors without seeking the required prior approval from the Department. Immediately it became aware of these events, my Department instructed the NIFRS to remove the salary increases to the three Directors. While the retrieval of unauthorised payments made to the non-uniformed Directors is a contractual matter for resolution between the NIFRS and the individuals concerned, I have made it clear that the NIFRS should explore all possible means available to them to recover all the unauthorised payments.

This situation is unacceptable and as a result the Department is closely monitoring the decisions of the NIFRS Board.

### Health Service

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety to detail the current number of (i) nurses and (ii) doctors employed by the Health Service. (AQW 8922/09)

**The Minister of Health, Social Services and Public Safety:** As at 31st March 2009, the total number of qualified nurses employed by the Health Service was 16,336 and the total number of medical doctors employed by the Health Service was 3,672. This data has been extracted from the Human Resource Management System.

### Average Salary of a Nurse

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety what the average salary of a nurse is. (AQW 8950/09)

**The Minister of Health, Social Services and Public Safety:** Nurses like all staff on Agenda for Change terms and conditions of employment are paid in line with the responsibilities of their particular job. Qualified Nursing roles fall into Agenda for Change pay Band 5, 6, 7 and 8A depending on the level of responsibility. The current salary ranges for these pay bands are available at <http://www.nhsemployers.org/Aboutus/Publications/PayCirculars/Pages/PaycircularAfC12009.aspx>

In addition to the basic salary, nurses may also be entitled to enhancements for working in the evenings and at weekends and overtime payments.

### Average Salary of a Doctor

**Mr Hamilton** asked the Minister of Health, Social Services and Public Safety what the average salary of a doctor is. (AQW 8951/09)

**The Minister of Health, Social Services and Public Safety:** There is a range of different types and grades of doctor and it would not be possible to determine the average salary of a doctor.

### Obesity

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety how many people had surgery for obesity aged (i) 21 years and under; (ii) 22-50 years; and (iii) over 50 years, in (a) 1998; and (b) 2008. (AQW 8961/09)

**The Minister of Health, Social Services and Public Safety:** There were no surgical procedures carried out for obesity (bariatric surgery) in Health and Social Care Hospitals in Northern Ireland during either 1998 or 2008.

### Budget Allocation

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety to detail the budget allocation, before and after efficiency savings, made to the Northern Health and Social Care Trust for the years (i) 2007-08; (ii) 2008/09 and (iii) 2009/10; and any subsequent or planned budgetary adjustments. (AQW 8964/09)

**The Minister of Health, Social Services and Public Safety:** The Department does not allocate budgets directly to the Trusts. Funding is provided to the Health & Social Care Board, as well as the Public Health Agency.

The allocations made available to the PHA and HSCB are after the deduction of the total efficiency savings to be achieved.

The Northern HSC Trust achieved efficiency savings of some £8.2m in 2007/08 and their budget after these savings were deducted was some £450.1m. In addition, the budget allocations, before and after efficiency savings, made to Northern Trust in 2008/09 were:

	2008/09
Allocation before efficiency savings were deducted	£506.0m
Efficiency savings – target for 2008/09 in addition to the savings achieved by 2007/08	£11.7m
Allocation after efficiency savings were deducted	£494.3m

The overall budget allocation for Northern HSC Trust for 2009/10 is being refined. The efficiency savings target for Northern HSC Trust for 2009/10 is £26.5m (in addition to the savings achieved by 2007/08).

## Drug Rehabilitation

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety to detail (i) the total number of people who have been given drug rehabilitation treatment; (ii) aged 16 and under; (iii) aged 21 and under; and (iv) the drugs for which they have received rehabilitation. (AQW 8971/09)

**The Minister of Health, Social Services and Public Safety:** Information on the number of people who have been given drug rehabilitation treatment is not available in the format requested. Table 1 provides a breakdown of the 1,984 individuals who presented to treatment services in 2007/08 by age groups and main drug of misuse. The information in table 1 has been treated for disclosure to protect individual's confidentiality and therefore information for some drugs of misuse have been suppressed.

Table 1 Main Drug of Misuse(1)	Age Group		
	16 & under	21 & under	All persons(2)
Cannabis	99	332	692
Ecstasy	15	46	84
Cocaine	-	31	201
Heroin	0	-	158
Other opiates	0	-	82
Benzodiazepines	-	37	622
Codeine & Paracetamol	0	-	48
Other drugs	-	13	97
<b>Total</b>	<b>124</b>	<b>471</b>	<b>1,984</b>

(1) The main drug of misuse is the drug which is causing the individual the most problems at the time they presented themselves to the Agency for treatment.

(2) This column includes 11 individuals whose date of birth was not known.

## Carers

**Mr Shannon** asked the Minister of Health, Social Services and Public Safety to detail what he is doing to ensure that people who have carers help for 1-3 hours per week have this help retained; and to outline why many people in this position are having their carers removed. (AQW 8972/09)

**The Minister of Health, Social Services and Public Safety:** Health and Social Care Trusts provide services in line with assessed need. My Department already spends over £630m supporting our older people in the community, including the provision of domiciliary care, and I am investing a further £60m in this CSR period to support an additional 1,500 older people.

I am also investing over £1m on the development and implementation of the Northern Ireland Single Assessment Tool for older people. The tool will ensure standardised, comprehensive assessment of needs are undertaken to enable Trusts, in consultation with service users, their families and carers, to provide the best possible package of care.

It is standard practice for the HSC to review a service user's care needs to determine if those needs have changed, and how best the HSC can respond to any changes. In some cases this will result in increased support levels, just as with others, support may be reduced where, for example, a service user's condition has improved.

## Nurses Redeployed from Tyrone County Hospital

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety what action his Department has taken to address the concerns of nurses who have been redeployed from Tyrone County Hospital to the Erne and Altnagelvin Hospitals. (AQW 8981/09)

**The Minister of Health, Social Services and Public Safety:** Conditions of employment for individual staff are, in the first instance, a matter for the employing Trust. I am advised that concerns raised by nurses who have been redeployed are raised and addressed through their line management structure and through their Trade Union representatives who meet with the Western Trust on a regular basis.

I would also refer you to the answers I gave in response to AQW 8195/09 and AQW 8196/09.

### Hoax Calls

**Mr Burns** asked the Minister of Health, Social Services and Public Safety to detail the of number of hoax phone calls that were responded to by (i) Ambulance Service; and (ii) Fire and Rescue Service, in each of the last five years. (AQW 8983/09)

**The Minister of Health, Social Services and Public Safety:** The table below provides the information requested:

#### HOAX CALL RESPONSES

	2004/05	2005/06	2006/07	2007/08	2008/09
NI Fire and Rescue Service	1,714	1,394	1,279	1,204	1,099
NI Ambulance Service	1,914	1,824	1,951	1,903	1,430

### Private Security

**Mr Burns** asked the Minister of Health, Social Services and Public Safety to detail the amount spent by his Department on private security in each of the last five years. (AQW 8984/09)

**The Minister of Health, Social Services and Public Safety:** The cost of providing private security in hospital A&E Departments is met by the Health and Social Care Trusts. According to the information that is available this has amounted to £629,424 in 2004/05; £601,488 in 2005/06; £604,345 in 2006/07 and £768,216 in 2007/08, £759,613 in 2008/09.

### Bed Blocking

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to state what procedures are in place to ensure “bed blocking” is eliminated in hospitals; and that the highest level of co-ordination is in place to facilitate the smooth transfer from hospital to home or other suitable community care. (AQW 8985/09)

**The Minister of Health, Social Services and Public Safety:** I have set stringent new targets for delayed discharge, which mean that, from April 2009, non-complex cases should be discharged within 6 hours of being declared fit and complex cases should be discharged within 48 hours of being declared fit. These targets are subject to rigorous monitoring arrangements and I can report that achievement rates for May 2009 are 96% and 88% respectively.

In tandem with improving systems within hospitals, we are also working to expand the range of flexible and responsive intermediate care services in the community. We already spend over £630m supporting our older people, and I am investing a further £60m over the CSR period in a wide range of community care support services to support at least an additional 1,500 older people in the community by March 2011.

### Swine Flu

**Mr Easton** asked the Minister of Health, Social Services and Public Safety, for a breakdown of how much money his Department has spent on Swine Flu, and what the money has been used for. (AQW 8989/09)

**The Minister of Health, Social Services and Public Safety:** To date my Department has spent or firmly committed to some £29.9m of expenditure on swine flu for 2009/10. This expenditure has been incurred mainly



on the purchase of pandemic vaccines, the purchase of antibiotics, anti-virals and consumables based on national agreements, storage and distribution, IT including the national flu line service, communications and staffing. Our current estimates expect spend on swine flu to be at least some £55m in 2009/10. These figures will continue to rise.

### Nursing Posts

**Mr Easton** asked the Minister of Health, Social Services and Public Safety if he has agreed to the reduction of nursing posts by all five Health and Social Care Trusts under their efficiency plans. (AQW 8990/09)

**The Minister of Health, Social Services and Public Safety:** All five Trusts did not propose reductions in nursing posts.

### Health Service Staff Complaints

**Mr Easton** asked the Minister of Health, Social Services and Public Safety how many complaints have been made by Health Service staff over the last three years. (AQW 8991/09)

**The Minister of Health, Social Services and Public Safety:** There have been 525 complaints relating to employment issues made by Health and Social Care staff in the last two years. Similar information prior to the setting up of HSC Trusts in April 2007 is unavailable.

### Paramedics

**Miss McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the number of paramedics employed by each Health and Social Care Trust. (AQW 9007/09)

**The Minister of Health, Social Services and Public Safety:** Paramedics are employed by the Northern Ireland Ambulance Service (NIAS) Trust on a regional basis rather than by individual Health and Social Care Trusts. As at 31st March 2009, there were 326 Band 5 paramedics (324.2 whole-time equivalent) and 47 (47.0 WTE) Band 6 Ambulance Officers (who are also paramedics) employed by the NIAS.

Note that the whole-time equivalent (WTE) number of staff is calculated by aggregating the total number of hours that staff in a grade are contracted to work, and dividing by the standard hours for that grade.

### Paramedics

**Miss McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the salaries for all grades of paramedics employed by each of the Health and Social Care Trusts. (AQW 9008/09)

**The Minister of Health, Social Services and Public Safety:** Paramedics are employed by the Northern Ireland Ambulance HSC Trust and like all staff on Agenda for Change terms and conditions of employment are paid in line with the responsibilities of their particular job. The Ambulance Officer role falls into Agenda for Change pay Band 6. Paramedic roles are currently paid at Agenda for Change Band 5 but this is under review pending a full job evaluation.

The current basic salary ranges for these pay bands are available at <http://www.nhsemployers.org/Aboutus/Publications/PayCirculars/Pages/PaycircularAfC12009.aspx>

In addition to the basic salary, these staff are also entitled to enhancements of up to 25% of their basis pay for working in the evenings and at weekends.

### Swine Flu

**Miss McIlveen** asked the Minister of Health, Social Services and Public Safety to detail how many hours he has dedicated each week to Swine 'flu since its outbreak; and what proportion of his working time this represents. (AQW 9009/09)

**The Minister of Health, Social Services and Public Safety:** Since its outbreak I have dedicated very many hours each week to swine flu. This has included:

- Statements to the Assembly;
- Briefing the Executive;
- Briefing the Assembly Health, Social Services & Public Safety Committee;
- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers: Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with those Health Ministers;
- Meeting Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning;
- On site visits, to, for example, the Ulster Hospital and Belfast International airport;
- Regular briefings from emergency planning officials regarding the evolving situation; and
- Media interviews

This work represents a substantial proportion of my working time.

### Speech and Language Therapists

**Mr O'Loan** asked the Minister of Health, Social Services and Public Safety (i) if he accepts that approximately 85% of Speech and Language Therapists graduating in Northern Ireland are forced to leave to seek employment; (ii) to confirm whether waiting lists of up to two years for speech therapy are common; and (iii) if he will take urgent action to address the imbalance between the supply and the demand for speech and language therapy. (AQW 9012/09)

**The Minister of Health, Social Services and Public Safety:** My Department has no evidence to support the statistics quoted.

My Department is not aware of any two year waiting lists for Speech and Language Therapy (SLT). The current Allied Health Professional elective care standard states that no patient should wait longer than 13 weeks from referral to commencement of treatment. At 31 March 2009, the target to reduce SLT waiting times to 13 weeks had been achieved.

The number of commissioned training places for speech and language therapy is kept under regular review through the Department's workforce planning mechanism and adjusted to ensure appropriate balance in supply and demand. The number of speech and language therapists in the workforce has increased by 14% over the past 3 years. In addition, speech and language therapy support staff numbers have more than doubled.

## DEPARTMENT FOR REGIONAL DEVELOPMENT

### Castlerock Signal Box

**Mr G Robinson** asked the Minister for Regional Development, pursuant to AQW 8338/09, if he will reconsider applying for a preservation order on Castlerock signal box. (AQW 8847/09)

**The Minister for Regional Development (Mr Murphy):** Under the Planning (Northern Ireland) Order 1991 responsibility for protecting buildings of special architectural or historic interest lies with The Department of the Environment. I understand that the Department of the Environment is already considering the protection of the Castlerock signal box and officials in that Department will advise you of the outcome of that process in due course.

### Manse Court to Main Street, Carrowdore

**Mr Shannon** asked the Minister for Regional Development what action his Department is taking to provide a footpath from Manse Court to Main Street, Carrowdore, taking into account the safety of children walking to school. (AQW 8960/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that there are a number of proposed housing developments between Manse Court and Main Street, Carrowdore. As a condition of planning permission for these developments, developers will be required to provide footway links.

Following completion of the development works, Roads Service will reassess the need for any additional pedestrian facilities at this location.

### Roads Service

**Mr Ross** asked the Minister for Regional Development how many claims against Road Service have been made by members of the public who claim that their vehicles or property had been damaged during roads maintenance; and how many were successful, in each of the last three years. (AQW 8968/09)

**The Minister for Regional Development:** The table below sets out the number of claims received against Roads Service in each of the last three financial years in respect of damage to vehicles or property arising from roadworks.

If the roadworks were carried out by the Contractor on behalf of Roads Service, the claim is usually referred to that Contractor because the contract contains a clause indemnifying the Department against claims arising from the Contractor's works. It is not known how many of those claims referred to Contractors were successful.

Some roadworks are undertaken internally by Roads Service Direct, the direct labour work provider within Roads Service.

The table also shows the number of claims that were referred to Contractors and the outcome of those remaining with the Department.

	08/09	07/08	06/07
Number of claims received	62	102	94
Number referred to Contractor	34	48	46
Number remaining with Department	28	54	48
Number successful	6	17	18
Number unsuccessful	18	35	30
Number outstanding	4	2	0

### Unpaid Parking Tickets

**Mr Ross** asked the Minister for Regional Development how many prosecutions have been secured for unpaid parking tickets in each of the last 3 years. (AQW 8969/09)

**The Minister for Regional Development:** My Department's Roads Service has advised that the majority of parking offences changed from criminal offences to civil contraventions, in October 2006. This was when responsibility for parking enforcement transferred to Roads Service and became known as decriminalised parking enforcement. Penalty Charge Notices (PCNs) are now issued for parking contraventions, with a PCN representing a civil charge owing to a civil authority, i.e. the Department for Regional Development.

Unpaid PCNs cannot be pursued through the criminal courts, therefore, prosecutions cannot be secured. Unpaid parking penalties are pursued using the administrative process set out in the Traffic Management (NI) Order 2005. Ultimately, the Enforcement of Judgements Office, and Clamping and Removal operations may be used for the recovery of civil debt.

## Unadopted Roads

**Mr Burns** asked the Minister for Regional Development (i) to provide an updated list of unadopted roads in the South Antrim constituency; (ii) to detail which roads have been adopted in the last six months; and (iii) to detail which roads are likely to be adopted within the next six months. (AQW 8995/09)

**The Minister for Regional Development:** My Departments Roads Service has compiled the following updated list of roads in the South Antrim area that remain unadopted, and are subject to Private Streets Order Legislation:-

- The Oaks, Church Road, Randalstown
- Bramblewood, Ballytromery Road, Crumlin
- Millmount, Bridge Street, Randalstown
- The Brambles, Craigstown Road, Randalstown
- Spire Way, Moneyglass
- Between Castle Drive and Ashdale, Castle Road, Randalstown
- Edgewood, Moylena Road, Antrim
- St James Meadow, Cidercourt Road, Crumlin
- Millhouse Village, Stiles Way, Antrim
- Greenvale, Belmont Road, Antrim – 5 bonds unadopted
- Birchdale, Portglenone Road, Randalstown
- Riveroaks, Mill Road, Crumlin
- Carnbeg, Kilbegs Road, Antrim
- Millwater Lodge, Mill Street, Crumlin
- Grangers Mill, Seven Mile Straight, Muckamore
- Cherrygrove, Belfast Road, Antrim
- Millview, Clonboy Walk, Randalstown
- Castle Avenue, Castle Road, Randalstown
- Bushforde, Steeple Road, Antrim – Phase 1
- Bushforde, Steeple Road, Antrim – Phase 2
- Maple Park, Lurgan Road, Crumlin
- Glencraig Manor, Springfarm Road, Antrim
- The Cedars, Cunningham Way, Antrim
- Bleach Green, Islandreagh Drive, Dunadry
- Main Street, Crumlin
- Dublin Road, Antrim
- Niblock Oaks, Niblock Road, Antrim
- Lamonts Mill, Riverside, Antrim
- Moylena Court, Cunningham Way, Antrim
- Internal Roads, Junction One, Antrim
- Main Street, Toomebridge
- Bush Road, Antrim
- Killtraugh Grange, Glenavy
- Duneden Grove, Glenavy
- Kilbride Lodge, Doagh
- Glebecoole Park, Carnmoney
- Lyle Hill Road East, Mallusk
- Fernridge, Ballycraigy
- Sally Gardens, Ballyclare Road



- The Beeches, Mallusk
  - Michelin Road, Mallusk
  - Milewater Way, Mossley
  - Plantation Avenue, Ballyclare
  - Hawthorn Way, Ballyclare
  - Green Road, Ballyclare
  - Oakgrove Manor, Glenavy
  - Hydepark Road, Mallusk
  - The Longshot, Doagh
  - Millars Lane, Glenavy
- (ii) The following roads have been adopted in the last six months:-
- Glenoak Grange Close, Nutts Corner Road, Crumlin
  - Old Mill, Dunadry Road, Dunadry
  - Castle Lodge, Castle Road, Randalstown
  - Greenvale, Belmont Road, Antrim – 10 bonds adopted
  - The Mews, Cidercourt Road, Crumlin
  - Ballytromery Avenue, Ballytromery Road, Crumlin
  - Junction One, Ballymena Road, Antrim
  - Fox Lodge, Dunadry
  - Ballymena Road (south dualling), Antrim
  - Six Mile Manor, Ballyclare
  - 20/30 Ballynure Road, Ballynure
  - Lyngrove Hill, Glenavy
  - Village Green, Ballyclare
  - Ashford Lodge, Ballyclare, Road
- (iii) The following roads are likely to be adopted in the next 6 months:-
- The Beeches, Mallusk
  - Duneden Grove, Glenavy

### Public Roads

**Mr Dallat** asked the Minister for Regional Development what procedures are in place to ensure that the surface of all public roads is maintained at a standard which ensures vehicles can come to a halt in the shortest possible braking distance. (AQW 9000/09)

**The Minister for Regional Development:** My Department's Roads Service constantly strives to improve road safety standards. One means of achieving this is to ensure that roads have a satisfactory level of skidding resistance, which reduces the risk of uncontrolled skids and improves braking efficiency.

Roads Service has a programme of measuring skidding resistance, using the Sideways-force Coefficient Routine Investigation Machine (SCRIM), on the upper roads hierarchy, that is, motorways, trunk roads and non-trunk A Class roads, and reports annually on the percentage of the network which is equal to or below the relevant investigatory level. Roads Service engineers carry out investigations on all roads that are found to be below the investigatory level and arrange remedial work, where necessary.

Although routine measurements of skid resistance using the SCRIM vehicle are not carried out on the B, C and U class network, regular visual inspection surveys provide information which assists Roads Service engineers develop planned maintenance programmes, such as surface dressing, which makes a positive contribution to skidding resistance.

In addition, Article 8 of the Roads (NI) Order 1993, places a duty on Roads Service to maintain all public roads in reasonable condition. To comply with this obligation, Roads Service has in place a set of maintenance

standards, which establish the frequencies for road inspections dependent on traffic volumes, and specify response times for the repair of defects.

Inspection frequencies vary from daily cycles for motorways, to four-monthly cycles for carriageways and footways carrying low volumes of traffic. Response times specified for the repair of defects are dependent on the severity of the defect and range from one calendar day, to the inclusion of the defect in the next work programme for that particular route.

### Roads Service

**Dr Farry** asked the Minister for Regional Development what instructions are given to Roads Service staff to enable them to respond to complaints from residents regarding flags erected on lampposts. (AQW 9002/09)

**The Minister for Regional Development:** In responding to all types of complaints, including those about flags erected on lampposts, officials from my Department's Roads Service are required to act in an impartial, professional and open manner.

Roads Service officials are instructed to record the details of the complaint, and explain Road Service's policy, in line with the multi agency Flags Protocol, and outline Roads Service's role in support of the Flags Protocol lead agency, which is usually the PSNI. They should then confirm what steps will be taken next.

Roads Service officials are also required to follow the matter up, and ensure that any commitments made are carried out.

I do not, however, feel that the current multi-agency protocol which involves other Departments and agencies is adequate in effectively addressing the issue of the display of flags in public places in 2009. I believe that it needs reviewed and have outlined my position publicly in recent weeks.

### Roads Service

**Dr Farry** asked the Minister for Regional Development to report on the nature of the perceived threat that prevents the Roads Service from removing flags from lampposts in contrast to other illegally erected posters or advertisements. (AQW 9003/09)

**The Minister for Regional Development:** The removal of flags is significantly different from the removal of other illegally erected posters or advertisements, due to the political and societal sensitivities associated with flag flying in the North.

The risks that prevent my Department's Roads Service from removing flags from lampposts are that:-

- there is the threat to the safety of those involved in such work; and
- there is the threat to public order where the removal of flags could raise tensions, or lead to even more flags being put up in an area.

To assess and manage these risks, Roads Service consults with the lead agency, in line with the multi agency Flag Protocol. This is usually the PSNI, but will include the other Protocol partners and community contacts, as appropriate.

I do not, however, feel that the current multi-agency protocol which involves other Departments and agencies is adequate in effectively addressing the issue of the display of flags in public places in 2009. I believe that it needs reviewed and have outlined my position publicly in recent weeks.

### Ardmeen, Downpatrick: Sewerage Infrastructure

**Mr P J Bradley** asked the Minister for Regional Development whether work is planned that will permanently address the problem of foul odours that continue to emanate from the sewerage infrastructure in the Ardmeen area of Downpatrick. (AQW 9010/09)

**The Minister for Regional Development:** I have been advised by Northern Ireland Water (NIW) that the chemical dosing regime introduced in April 2008 at Ballynagross Wastewater Pumping Station has proven largely effective in reducing malodours in the Ardmeen Green area of Downpatrick. However, on Tuesday 2 June

2009 a process fault at the local pumping station caused the dosing pumps to shut down and as a result malodours recurred. NIW immediately instructed its contractor to repair the station's automatic dosing pumps and in the interim implemented a daily manual chemical dosing regime. This work was completed on Monday 8 June 2009.

Telemetry to remotely monitor the functionality of the site and the associated chemical dosing plant on a 24 hours-a-day basis is now fully operational and this will give NIW advance notice of any potential incidents and enable it to respond promptly. Regrettably, given the nature of the materials transported through the public sewerage system, it is not possible to guarantee that odours will never recur.

### Translink

**Mr McGlone** asked the Minister for Regional Development what processes are used for the tendering of fuel supply contracts for Translink in circumstances where alternative offers of contract have been made by other suppliers which may provide potential savings. (AQW 9015/09)

**The Minister for Regional Development:** Fuel supply is regularly tendered according to best practice and EU procurement regulations. A new tender process will start in September 2009, with the contract being advertised in the Official Journal of the European Union (OJEU) and the Translink website for any interested suppliers.

Translink have advised me that the most economically advantageous offer was chosen in the last tendering exercise.

## DEPARTMENT FOR SOCIAL DEVELOPMENT

### Social Housing

**Mr Hamilton** asked the Minister for Social Development (i) to detail the number of social housing newbuilds completed in the last 2 years; and (ii) for a religious breakdown of the new tenants. (AQW 8867/09)

**The Minister for Social Development (Ms Ritchie):** In relation to (i) the number of social housing units completed in the last two years is set out in the following table:-

Type	2007/08	2008/09
Existing Satisfactory Purchase	285	204
Off the Shelf	110	359
Newbuild	951	760
Rehabilitation	64	23
Re-improvement	0	19
<b>Total</b>	<b>1410</b>	<b>1365</b>

In relation to (ii) the religious breakdown of the new tenants is set out in the following table:-

	2007/08	2008/09*
Protestant	32.1%	30.8%
Catholic	59.2%	61.0%
Mixed	0.5%	0.2%
No religious belief	5.2%	4.1%
Other (not stated)	2.8%	3.8%
Muslim	0.1%	0.0%
<b>Total**</b>	<b>100.0%</b>	<b>100.0%</b>

\* 2008/09 data is still provisional

\*\* Total shown is 99.9% due to rounding

### Mourne River: Community Pedestrian and Cycle Bridge.

**Mr Doherty** asked the Minister for Social Development (i) if her Department has considered the application submitted by Strabane District Council, through the North West Development Office, to provide funding towards the community pedestrian and cycle bridge across the river Mourne in the town (ii) if the Department is supportive of this application; (iii) to provide a timescale as to when a decision will be made about this application; and (iv) when an announcement will be made on it. (AQW 8903/09)

**The Minister for Social Development:** Officials in my North West Development Office are currently considering the application for funding made by Strabane District Council. However, given the nature and escalating costs of this project it is important that a robust and comprehensive project appraisal is carried out and that the relevant financial, technical and specialist information is fully considered and evaluated.

It is unlikely that any decision will be made on this application before late summer. However when a decision is taken, there will be an announcement, as appropriate.

### Housing Executive

**Mr Shannon** asked the Minister for Social Development the average time taken for the sale of Housing Executive houses, from initial enquiry to completion, and how this compares to (i) 12 months ago; and (ii) 24 months ago. (AQW 8904/09)

**The Minister for Social Development:** The average time taken for the sale of Housing Executive dwellings from initial enquiry to completion was 32 weeks in 2008/09. This compares to 44 weeks in 2007/2008 and 49 weeks in 2006/07.

### Housing Executive

**Mr Shannon** asked the Minister for Social Development how many properties the Housing Executive has sold in each constituency in the past twelve months. (AQW 8905/09)

**The Minister for Social Development:** The information is not available in the format requested. However, the following table details the number of dwellings sold by the Housing Executive by District Office area in 2008/2009:-

Housing Executive District Office	House sales 2008/09
Belfast West	4
Belfast East	0
Belfast North	2
Belfast Shankill	0
Belfast South	3
Bangor	0
Newtownards	1
Castlereagh	1
Lisburn Antrim Street	2
Lisburn Dairyfarm	1
Downpatrick	3
Banbridge	0
Newry	3
Armagh	3
Lurgan	0

Housing Executive District Office	House sales 2008/09
Portadown	1
Dungannon	1
Fermanagh	8
Ballymena	3
Antrim	1
Newtownabbey 1	0
Newtownabbey 2	4
Carrickfergus	0
Larne	1
Ballycastle	1
Ballymoney	2
Coleraine	1
Londonderry 1	2
Londonderry 2	4
Londonderry 3	1
Limavady	0
Magherafelt	0
Strabane	0
Omagh	1
Cookstown	0
Total	54

### Press and Public Relations Department

**Mr Gardiner** asked the Minister for Social Development to detail the number of staff employed in her Department's press and public relations department and their overall cost in each year from 2003/04 to 2008/09. (AQW 8925/09)

**The Minister for Social Development:** The tables below detail the numbers of staff employed within the Department for Social Development in the press and public relations department and the associated salary costs for each financial year from 2003/04 to 2008/09.

Year	Information Grades* (WTE)	Admin Grades** (WTE)	Total Staff Nos.	Total Salary Costs
2003-04	PIO, SIO, IO = 3 staff	4 staff	7	£165,422
2004-05	PIO, SIO, IO = 3 staff	4 staff	7	£189,066
2005-06	PIO, 2 x SIO, IO, AIO = 5 staff	3 staff	8	£236,250
2006-07	PIO, 2 x SIO, IO, AIO = 5 staff	3 staff	8	£232,987
2007-08	PIO, 2 x SIO, IO, AIO = 5 staff	2 staff	7	£212,364
2008-09	PIO, 2 x SIO, IO, AIO = 5 staff	2 staff	7	£240,887

\* Information Officer Grades: PIO, Principal Information Officer, SIO, Senior Information Officer, IO, Information Officer, AIO, Assistant Information Officer.

\*\* Admin Grades: Administration Assistant, Administration Officer, Executive Officer 2 All figures shown are Whole-time equivalent (WTE)



### Housing Executive Maintenance Grants

**Mr Brady** asked the Minister for Social Development to detail the number of people who have received confirmation that their Housing Executive maintenance grants have been accepted, broken down by parliamentary constituency and Housing Executive divisional area, since she came into office. (AQW 8939/09)

**The Minister for Social Development:** The information is not available in the format requested. However, the table below details home improvement grant approvals by District Council and by Housing Executive areas for the period April 2007 to June 2009.

District Council Area	Housing Executive Administrative Area	2007/08	2008/09	2009/10 (to June 09)	Total
Belfast	Belfast	1,415	1,234	152	2,801
Carrickfergus		85	55	8	
Larne		98	41	6	
Newtownabbey		195	102	13	
Antrim		82	53	6	
Ballymena		62	58	5	
Ballymoney		56	54	12	
Coleraine		88	106	11	
Moyle		33	40	4	
<b>Totals:</b>	<b>North East</b>	<b>699</b>	<b>509</b>	<b>65</b>	<b>1,273</b>
Armagh		267	175	30	
Craigavon		458	407	88	
Fermanagh		685	570	41	
Banbridge		122	104	4	
Newry & Mourne		724	568	45	
<b>Totals:</b>	<b>South</b>	<b>2,256</b>	<b>1,824</b>	<b>208</b>	<b>4,288</b>
Ards		161	104	25	
Castlereagh		134	117	10	
North Down		171	123	29	
Down		236	222	25	
Lisburn		208	201	30	
<b>Totals:</b>	<b>South East</b>	<b>910</b>	<b>767</b>	<b>119</b>	<b>1,796</b>
Derry		424	375	26	
Limavady		128	126	5	
Magherafelt		164	139	8	
Strabane		223	232	21	
Cookstown		256	237	30	
Dungannon		306	285	37	
Omagh		290	269	18	
<b>Totals:</b>	<b>West</b>	<b>1,791</b>	<b>1,663</b>	<b>145</b>	<b>3,599</b>
<b>Overall Totals</b>		<b>7,071</b>	<b>5,997</b>	<b>689</b>	<b>13,757</b>

## Housing Executive Maintenance Grants

**Mr Brady** asked the Minister for Social Development, of those people who had received confirmation that their Housing Executive maintenance grants had been accepted, since she came into office, how many subsequently received notice that their grants will not be honoured, broken down by parliamentary constituency and Housing Executive divisional area. (AQW 8940/09)

**The Minister for Social Development:** All statutory grant applications that have been formally approved by the Housing Executive will be honoured.

## Newbuild Social Housing

**Mr Ross** asked the Minister for Social Development to detail, all (i) newbuild social housing; and (ii) maintenance work in the East Antrim constituency, in each of the last 3 years. (AQW 8978/09)

**The Minister for Social Development:** The details regarding the Housing Executive's newbuild social housing and maintenance work for the East Antrim Constituency for the last 3 years is set out in the following tables:-

### SOCIAL HOUSING DEVELOPMENT PROGRAMME ACTIVITY

Year	Housing Association	Scheme	Units	Need Group
2006/07	Choice	Hawthorn Grove, Carrickfergus	2	General Needs
	Choice	Gardenmore Place, Larne	14	Mental Health
	Fold	Railway Cottages, Taylors Avenue, Carrickfergus	26	Elderly (CAT 3)
	NIHE	Marine Hotel, Carrickfergus	25	Single Homeless
	NIHE	Marine Hotel, Carrickfergus Phase 2	5	Single Homeless
2007/08	BIH	1-3 Victoria Street, Carrickfergus	5	Vulnerable Women
2008/09	Clanmil	Beechlands, Carnlough	6	General Needs
<b>Total</b>			<b>83</b>	

### HOUSING EXECUTIVE MAINTENANCE & IMPROVEMENT PROGRAMME 2006/07

District Office Area	Scheme Name	Dwellings	Work Group
Carrickfergus	Greenisland	0	Grounds Maintenance
Carrickfergus	10 Cragfergus Ct Land Drainage	0	Estate Infrastructure
Carrickfergus	Drumhoy Heat Upgrade	33	Heating Installation
Carrickfergus	Dunloskin	48	Revenue Replacement
Carrickfergus	Kinbayne Kitchens	66	Revenue Replacement
Carrickfergus	Whitehead	0	Grounds Maintenance
Carrickfergus	Sunnylands	0	Grounds Maintenance
Carrickfergus	Carrickfergus	391	External Cyclical Maintenance
Larne	Ferris Park	171	External Cyclical Maintenance
Larne	Antiville	147	External Cyclical Maintenance
Larne	Millbrook/Craigyhill	86	Revenue Replacement
Larne	Fairway	74	Multi Element
Larne	Craigyhill Phase 9	35	Multi Element
Larne	Millbrook/ Antiville	81	Heating Installation

District Office Area	Scheme Name	Dwellings	Work Group
Newtownabbey 1	Newtownabbey 1 Ph 2 E7	70	Heating Installation
Newtownabbey 1	1-11 Altnacreeve Park - Flood	0	Estate Infrastructure
Newtownabbey 1	The Diamond Drainage & Access	0	Estate Infrastructure
Newtownabbey 1	Rathcoole Multis	116	Special Revenue
Newtownabbey 1	Abbeyglen	38	External Cyclical Maintenance
Newtownabbey 1	Ballyronan/Rathmore	90	Revenue Replacement
Newtownabbey 1	Woodland Crescent	49	Multi Element
Newtownabbey 1	Clonmore Green	20	Multi Element
Newtownabbey 1	11 & 13 Coolderry Gdns Ret Wal	0	Estate Infrastructure

**HOUSING EXECUTIVE MAINTENANCE & IMPROVEMENT PROGRAMME 2007/08**

District Office Area	Scheme Name	Dwellings	Work Group
Carrickfergus	Glenfield Voids	4	Multi Element
Carrickfergus	Greenisland Phase 9	31	Multi Element
Carrickfergus	Glenfield Cap Kitchens	31	Single Element
Carrickfergus	Woodburn Ph 7	30	Multi Element
Larne	Antiville Cap Kitchens	34	Single Element
Larne	Beachlands Flats	5	Multi Element
Larne	Glynn, Ballystrudder, Chan Vis	0	Grounds Maintenance
Larne	Ferris Park Ph 1	42	Multi Element
Larne	Linn Road/Craigyhill	273	External Cyclical Maintenance
Larne	Antiville	49	Revenue Replacement
Newtownabbey 1	Glenville Green Ei	0	Environmental Improvement
Newtownabbey 1	Old Irish H'way Subsidence	0	Estate Infrastructure
Newtownabbey 1	21-33 Ardranny Dr Land Drain	0	Estate Infrastructure
Newtownabbey 1	O'Neill Road Hostel Repl Sewer	0	Estate Infrastructure
Newtownabbey 1	N'abbey 1 Elect Testing & Rep	300	Revenue Repair
Newtownabbey 1	Barna Sq/Abbeyville Pk Etc	48	Revenue Replacement
Newtownabbey 1	Rathcoole	0	Grounds Maintenance
Newtownabbey 1	Newtownabbey 1 Zone 1	395	External Cyclical Maintenance
Newtownabbey 1	Bawnmore/Longlands	265	External Cyclical Maintenance

**HOUSING EXECUTIVE MAINTENANCE & IMPROVEMENT PROGRAMME 2008/09**

District Office Area	Scheme Name	Dwellings	Work Group
Carrickfergus	Woodburn	0	Grounds Maintenance
Carrickfergus	Carrickfergus	254	External Cyclical Maintenance
Larne	Larne Central	0	Grounds Maintenance
Newtownabbey 1	Newtownabbey 1 Ph 6	98	Heating Installation
Newtownabbey 1	Newtownabbey 1 Zone 4	194	External Cyclical Maintenance
Newtownabbey 1	Glencoole House	72	Multi Element

District Office Area	Scheme Name	Dwellings	Work Group
Newtownabbey 1	Ardmillan Dr/Ardgart Pl Etc	101	Revenue Replacement

### Private Sector Grants

**Mr McElduff** asked the Minister for Social Development to outline what her Department is doing to reinstate funding to honour commitments already made by the Housing Executive for Private Sector Grants; and when the grants will be paid. (AQW 8979/09)

**The Minister for Social Development:** This year £20.25 million has been allocated to fund the Private Sector Grants Scheme. Grant applications where the formal approval has been issued will continue as normal and payments will be made in line with current standards of service. However new non mandatory grant applications are not being accepted at this time due to the shortfall in funding.

I welcome the Executive's decision that £20 million will be made available for social housing in the June Monitoring Round. However, the £20 million only addresses part of what is a £100 million shortfall in the Housing Budget. I will continue to bid in future monitoring rounds to protect the housing agenda.

### Private Sector Grants

**Mr McElduff** asked the Minister for Social Development to detail the number of applications for Private Sector Grants in the districts of Omagh and Strabane that are being cancelled or rejected by the Housing Executive under direction from her Department. (AQW 8980/09)

**The Minister for Social Development:** The Department has not directed the Housing Executive to cancel or reject any applications. The table below details the discretionary grant applications and preliminary enquiry cases in the districts of Omagh and Strabane which have been/are to be cancelled by the Housing Executive since 1 April 2009. These will be held on file in the event that additional funding may become available at some future date. The Housing Executive will write to all cases cancelled or refused due to the lack of funds and explain the approach to be taken.

District	Number of Grant Applications	Number of Preliminary Enquiry Cases	Total
Omagh	73	314	387
Strabane	88	210	298
<b>Total</b>	<b>161</b>	<b>524</b>	<b>685</b>

### Disability Living Allowance Appeals

**Miss McIlveen** asked the Minister for Social Development to detail by constituency (i) how many Disability Living Allowance appeals were requested in 2008/09; (ii) how many were successful; and (iii) what was the average clearance time. (AQW 9006/09)

**The Minister for Social Development:** The information cannot be provided in the detail requested as The Appeals Service does not maintain statistical data on the basis of constituency areas.

In total The Appeals Service received 6,953 Disability Living Allowance appeals in 2008/09.

There were 5,756 final determinations by a tribunal, on Disability Living Allowance appeals, during 2008/09 and of those final determinations 1,948 were more advantageous to the appellant.

The average clearance time for Disability Living Allowance appeals during 2008/09 was 16 weeks

## Social Security Agency

**Mr O'Loan** asked the Minister for Social Development (i) how many staff at each of SSO I and SSO II levels have been appointed by each local office of the Social Security Agency in each of the last twelve months; (ii) how many of these in each case have an address within the area served by the office to which they were appointed; and (iii) for the same periods how many staff at each of these grades there were in each office with an address (a) in; and (b) outside, the area served by that office. (AQW 9011/09)

**The Minister for Social Development:** Tables 1 and 2 below set out the number of SSOIs and SSOIIs that have been appointed to local offices of the Social Security Agency during the period from 01 July 2008 to 30 June 2009 and the number of those staff appointed with an address within the area serviced by that local office. Table 3 provides details at 31 March 2009 of the number of SSOIs and SSOIIs in each local office with an address either in or outside the area served by that office.

**TABLE 1: (I) AND (II) SSOIS**

	(A) = Number of staff appointed (B) = Number of staff appointed with an address within area serviced by office																							
Local Office	Jul-08		Aug-08		Sep-08		Oct-08		Nov-08		Dec-08		Jan-09		Feb-09		Mar-09		Apr-09		May-09		Jun-09	
	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)
Andersonstown							2	0													2	1	1	0
Falls Road							1	0																
Shankill					1	0																	1	0
Shaftesbury Square																	1	1	1	0	1	0	1	0
Carrickfergus																					1	0		
Corporation Street													1	0										
Larne																					1	1		
Newtownabbey																							1	1
Bangor																					1	0		
Hollywood Road																	1	0						
Ballymena																			1	1			1	1
Coleraine																							1	1
Cookstown																							1	0
Strabane																					2	0	1	0

	(A) = Number of staff appointed (B) = Number of staff appointed with an address within area serviced by office																							
Local Office	Jul-08		Aug-08		Sep-08		Oct-08		Nov-08		Dec-08		Jan-09		Feb-09		Mar-09		Apr-09		May-09		Jun-09	
	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)
Andersonstown			2	1	1	1									1	1	3	2	1	0				
Falls Road	1	0													1	0	1	1	2	1				
Lisburn															1	0			2	2	1	0		
Shaftesbury Square	1	0	1	0													4	1	1	1				
Carrickfergus																					2	0		
Corporation Street	4	0	1	0			1	0							1	0	7	0	2	2	3	0		



	(A) = Number of staff appointed (B) = Number of staff appointed with an address within area serviced by office																							
Local Office	Jul-08		Aug-08		Sep-08		Oct-08		Nov-08		Dec-08		Jan-09		Feb-09		Mar-09		Apr-09		May-09		Jun-09	
	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)	(A)	(B)
Larne																							1	0
Newtownabbey	1	0															4	3	3	0				
Shankill	1	0			1	0											2	0	1	0				
Ballynahinch																			2	1				
Bangor																			1	1	1	1		
Hollywood Road	1	0			2	0									1	0	3	1	2	1	1	1		
Knockbreda	3	0			3	0									1	0	1	0	2	1	1	0		
Newcastle																			2	1				
Newtownards																	1	0						
Antrim																	5	2			1	1	1	1
Ballymena																			1	0				
Limavady																			1	1				
Magherafelt																	1	0						
Dungannon																	1	0						
Newry																	2	0						
Armagh																			1	0	1	0	1	0
Banbridge																			2	0				
Lurgan																	3	1						
Portadown																			3	1				
Lisnagelvin																	1	1	1	0				
Foyle																	2	0	2	1				
Omagh																	1	0	1	1	1	1		
Enniskillen																	2	0						

TABLE 2: (I) AND (II) SSOIS

Current Office	Grade				Total	
	SSO1		SSO2			
	Living within office boundary		Living within office boundary		Living within office boundary	
	Yes	No	Yes	No	Yes	No
Andersonstown	11	29	31	27	42	56
Antrim	6	8	18	11	24	19
Armagh	16	8	23	12	39	20
Ballymena	7	7	14	8	21	15
Ballymoney	6	2	14	1	20	3
Ballynahinch	3	1	1	5	4	6
Banbridge	6	1	9	6	15	7
Bangor	12	0	20	4	32	4

Current Office	Grade				Total	
	SSO1		SSO2			
	Living within office boundary		Living within office boundary		Living within office boundary	
	Yes	No	Yes	No	Yes	No
Carrickfergus	6	0	6	5	12	5
Coleraine	12	4	19	10	31	14
Cookstown	5	3	11	5	16	8
Corporation Street	4	49	11	52	15	101
Downpatrick	9	6	9	4	18	10
Dungannon	9	2	21	7	30	9
Enniskillen	17	0	22	0	39	0
Falls Road	1	16	10	20	11	36
Foyle	18	14	32	25	50	39
Hollywood Road	9	17	16	22	25	39
Kilkeel	3	1	10	0	13	1
Knockbreda	3	10	1	16	4	26
Larne	6	1	16	1	22	2
Limavady	5	1	13	0	18	1
Lisburn	4	12	13	7	17	19
Lisnagelvin	6	8	14	12	20	20
Lurgan	8	4	23	1	31	5
Magherafelt	7	3	9	3	16	6
Newcastle	5	0	7	3	12	3
Newry	14	4	23	7	37	11
Newtownabbey	4	7	9	10	13	17
Newtownards	9	5	12	5	21	10
Omagh	15	6	24	7	39	13
Portadown	3	8	6	17	9	25
Shaftesbury Square	0	17	1	38	1	55
Shankill Road	0	11	6	13	6	24
Strabane	13	0	18	0	31	0
All Offices	262	265	492	364	754	629

**Note:** Only cases where postcodes could be matched are recorded

# **Revised Written Answers**

This section contains revised written answers to questions previously tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.



## **OFMDFM**

### **Credit Cards**

In Bound Volume 41, page WA159, replace the answer to question (AQW 7907/09) asked by Mr Burns with

(i) The Office of the First Minister and deputy First Minister has issued 14 credit cards (Government Procurement Cards) to officials for work purposes.

(ii) (a) and (b) There have been 7 punitive bank charges incurred on these cards over the last five years amounting to £1,803.75.

(ii) (c) These charges were as a result of the late payment of bills during the immediate transition to a new accounting system for the Department in 2007-08. These initial processing issues have now been resolved. In addition, all monthly balances on these cards are now paid by direct debit to ensure that late payment charges are not incurred.

## **REGIONAL DEVELOPMENT**

### **Roadside Trees**

In Bound Volume 39, page WA81, replace the answer to (AQO 2244/09) asked by Mrs D Kelly with:

My Department's Roads Service does not have a statutory duty regarding the condition of roadside trees. However, Roads Service does have a statutory duty to maintain the public road network, which includes ensuring that boundary trees or hedges do not overgrow the roadway and footway, thereby impeding road users and pedestrians.

The statutory obligation requires that Roads Service initially advise the adjacent land owner, responsible for the overgrowing hedge, requesting that the necessary remedial work to remove or cut the trees or hedges is carried out in the interests of public safety. This is normally undertaken by the issue of an informal letter which generally resolves the majority of the problems identified. If that fails, Roads Service has powers, under Article 50 of the Roads (Northern Ireland) Order 1993, to serve a notice on the land owner requiring that the tree or hedge is removed or cut back, so as to remove the danger or obstruction. Where the requirements of the notice are not complied with, Roads Service may carry out the necessary works and recover the costs from the land owner.

## **ENVIRONMENT**

### **Derelict and Vacant Properties**

In Bound Volume 42, page WA354, replace the answer to question (AQW 9001/09) asked by Mr Dallat with:

I have no such plans in place because it is not the responsibility of my Department to ensure that buildings do not constitute a danger to the public or become a 'honey pot' for drug addicts and abusers. Responsibility for the upkeep and safety of such buildings lies with their owners.

However – specifically in relation to listed buildings - under Article 80 of the Planning Order NI (1991), my Department can take action if it 'appears to the Department that works are urgently necessary for the preservation of a listed building'. Such cases are identified by the Northern Ireland Environment Agency's (NIEA) area architects. NIEA follows Departmental policy in these cases, as published in paragraph D3 of Planning Policy Statement 6, and negotiates with owners in the first instance to arrive at a resolution.



Article 80 also enables the Department to use these powers in regard to ‘a building in respect of which a direction has been given by the Department that this Article shall apply’. Although the equivalent provision has been used in England in respect of unlisted buildings in Conservation Areas and the potential of such a use here is highlighted in paragraph D8 of Planning Policy Statement 6, such a direction has not issued in Northern Ireland and there are no plans to do this in the near future.

The Northern Ireland Housing Executive will routinely secure any of its stock which is unoccupied. In relation to privately owned vacant properties, the Housing Executive has powers under Article 63 of the Housing (Northern Ireland) Order 1981 to take action to secure unoccupied premises where it is satisfied that it is necessary to prevent damage to and to protect housing accommodation. The Notice served will require the owner to execute such works to secure the premises.

If the Housing Executive are unable to find an owner or a notice is not responded to within a specified period they will proceed to carry out the necessary work to make the property secure. The Housing Executive has a service contract for securing derelict and vacant properties.

## **HEALTH, SOCIAL SERVICES AND PUBLIC SAFETY**

### **Dairy Engagements**

In Bound Volume 42, page WA383, replace the answer to question (AQW 7614/09) asked by Mr Easton with:

On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 5 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

### **Dairy Engagements**

InBound Volume 42, page WA383-4, replace the answer to question (AQW 7616/09) asked by Mr Easton with:

On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 5 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;

- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

### **Dairy Engagements**

In Bound Volume 42, page WA384, replace the answer to question (AQW 7618/09) asked by Mr Easton with:

On each of the days listed, primary diary commitments were superseded by the need to respond urgently to the impending threat of a Swine Flu pandemic.

Other than my Swine Flu statement to the Assembly on Tuesday 2 May and Oral Questions on Monday 11 May, my time was predominantly spent engaged in the following:

- COBRA teleconference meetings with Alan Johnson, former Secretary of State for Health, and the Devolved Health Ministers; Edwina Hart, Minister of Health and Social Services for Wales and Nicola Sturgeon, Scottish Deputy First Minister and Cabinet Secretary for Health & Wellbeing;
- Individual teleconference meetings with Health Ministers and Mary Harney, Minister for Health and Children in the Republic of Ireland;
- Meetings with Public Health Doctors;
- Meetings with my CMO, senior departmental officials and their staff re Health & Social Care emergency planning
- Regular briefings from emergency planning officials regarding the evolving situation.

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